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THE DEVELOPMENT OF CABINET GOVERNMENT IN ENGLAND

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THE DEVELOPMENT OF CABINET GOVERNMENT IN ENGLAND

BY

MARY TAYLOR BLAUVELT, M.A.

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To My Father and My Mother

PREFACE

In addition to the authorities to which reference is made in the text, the author would acknowledge her indebtedness to Hearn's "Government of England," Todd's "Parliamentary Government," Coxe's "Institutes of English Government," Traill's "Central Government," Dicey's "Privy Council," and to the histories of Stubbs, Hallam, Macaulay, Stanhope, Lecky, and May.

Particular acknowledgments are due to the author's Oxford tutor, Mr. J. A. R. Mariott, who suggested the work and read the manuscript so far as it was completed in England, and to Professor F. York Powell, who also read the earlier chapters of the manuscript and made valuable suggestions.

"The English have left the different parts of their constitution just where the wave of history has deposited them; they have not attempted to bring them together, to classify and complete them, or to make a consistent and coherent whole." — BOUTMY.

"The laws reach but a very little way. Constitute government how you please, infinitely the greater part of it must depend upon the exercise of powers which are left at large to the prudence and uprightness of ministers of state. Even all the use and potency of the laws depend upon them. Without them your commonwealth is little more than a scheme upon paper, and not a living, active, effective organization." — BURKE.

"A committee with power which no assembly would — unless for historical accidents and after happy experiences — have been persuaded to trust to any committee." — BAGEHOT.

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THE DEVELOPMENT OF CABINET GOVERNMENT IN ENGLAND

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CHAPTER I

THE PRIVY COUNCIL

The Cabinet unknown to English law — Definition of the Cabinet — Its functions — Origin of the Privy Council — Concilium Ordinarium — Composed of men of all variety of opinion — Its functions easily confused with those of Magnum Concilium or Parliament — Struggle between Parliament and Council — Charter confirmed in 1297 — Petition of Commons in 1390 — Parliament forces King to dismiss Bishop of Winchester (1233) — And exile Piers de Gaveston (1312) — First Parliamentary impeachment (1376) — First trace of doctrine of joint ministerial responsibility (1386) — First Bill of Attainder (1388) — Efforts of Parliament to secure power of appointment — Absolutism of the Tudors — Their government a government by councils — It becomes customary for ministers to have seats in the House of Commons — The Star Chamber — Decline of the Council under the Stuarts — Increase in importance of Parliament.

TO trace the development and to define the powers of an institution which owes its existence to naught save custom must always be a difficult task. The institution with which I have to deal, the English Cabinet,

has thus far found not only its Alpha, but also its Omega, in custom. For that body which is the distinguishing feature of the English Constitution, the link which connects the legislative and executive departments of government, producing not only unity, but almost complete identity, thus bringing about a harmony and symmetry of governmental action not to be found elsewhere, is still unknown to English law. The official position of its head is commonly that of First Lord of the Treasury. As such, eight officers of State take precedence of him. As Prime Minister he has no legal existence.[1]

The Cabinet may be defined as a political committee of the Privy Council, chosen in fact, if not in theory, by the House of Commons to govern the nation. Its head may be a member of either the House of Commons or the House of Lords, but must be the leader of the party in power in the House of Commons. He is appointed nominally by the Crown, but where the ruling party has a distinctly recognized leader, the Crown has no choice but to appoint this leader. When there is no such pre-

[1] There is a curious story to the effect that when Lord Palmerston, as premier, visited Scotland in 1863, the captain of the guardship wished to do him honor, but found a difficulty in the fact that the Prime Minister is not recognized in the code of naval salutes. He finally found an escape from his dilemma in the discovery that Lord Palmerston was not only Prime Minister, but also warden of the Cinque Ports, for whom a salute of nineteen guns is prescribed. — ASHLEY, "Life of Palmerston," Vol. II. p. 233.

eminent leadership, the Crown may choose from among the two or three most prominent members of the party. The members of the Cabinet are the heads of the principal executive departments. They are appointed nominally by the Prime Minister, but the Prime Minister's power of choice is limited by the fact that he is obliged to appoint such members of his party as can command Parliamentary support.

The Cabinet acts not only as an executive board, but it also controls legislation. The more important bills are commonly introduced by its members. Bills introduced by private persons are generally passed or rejected, as seems good to the ministers controlling a majority of the votes. When it is no longer possible to command this majority, the Cabinet either goes out of office at once or it may make a final appeal to the country by a dissolution of Parliament, and a call for an election of a new House of Commons. If in this new House the ministers fail to obtain a majority, they must resign immediately.

In all measures brought before Parliament the Cabinet acts as a unit. Under ordinary circumstances each member is responsible for the action of the Cabinet as a whole, and the Cabinet as a whole is responsible for the action of each member. When the members resign, they resign as a body.

It must however be borne in mind that the above description is that of the norm of the Cabinet. Perhaps

at no time in its history has the actual Cabinet quite answered to it. Cabinet government was not fully developed until the beginning of the nineteenth century, and at present there is a strong tendency to return to the system of government by departments in preference to the system of government by the Cabinet as a whole.[1]

In order to a full presentation of our subject, it is necessary to trace the history of the Privy Council of which the Cabinet is a committee, the separation of this committee from the Council as a whole, the gradual transfer of the power of appointment and dismissal from King to Parliament, the rise in power of the House of Commons, and the accompanying decline of the House of Lords, the development of the party system upon which Cabinet government is based, and, finally, so far as may be, the internal history of the Cabinet.

We will begin with the Privy Council. It was the custom of the Norman kings, as of all feudal monarchs, to summon the great nobles to meet with them frequently for purposes of consultation and advice. By these assemblies of the nobles the feudal state was held together. Hence the King was even more anxious to

[1] The terms Ministry and Administration are sometimes used as synonymous with Cabinet; but they are a little more comprehensive in their signification, including officials standing near the Cabinet, as well as the Cabinet ministers.

compel attendance than the nobles were to attend. While on all important occasions he convened as many of the magnates as could be brought together, he kept a small body of officials about him permanently. This Council comprised the great officers of state, religion, and the household. The body of nobles that assembled on special occasions, summoned by special writ, came to be known as the Great Council — Magnum Concilium — of the realm. Whence, in later times, the Parliament. The smaller body of officials, the members of which were of course also members of the Great Council, was known as the permanent or Continual Council — Concilium Ordinarium. Whence, the Privy Council.

The Concilium Ordinarium was composed of men of all variety of opinion, who were frequently, perhaps generally, violently opposed to each other. For it was not considered that they were under any obligations to agree, but each one was bound to advise the King according to the best of his ability. Hence there were often very stormy sessions of Council, the divisions in that body probably reaching a climax in the reign of Henry VI. Manifestly the King could not follow the advice of all his councillors, and he frequently followed the advice of none of them. Indeed, not until a late period in the development of the Cabinet did the sovereign consider himself under obligations to ask, much less to take, the advice of his ministers on all matters.

The powers of this Council emanated directly from the Crown, and consequently were executive and judicial, rather than legislative and financial. But in the early days it was difficult to distinguish between the functions of different bodies; and when the King found it easier to get what he wanted through the Concilium Ordinarium than through the Magnum Concilium, he arranged to get it in this way. So it came to pass that pretty much the same things were done in the two councils, but under different names. The King taxed his people through both; but when it was done through the Concilium Ordinarium, it was asking for an aid. Through the Magnum Concilium, it was imposing a tallage, or negotiating the concession of a custom. Legislation was accomplished through the agency of both councils; but in the one case ordinances were said to be issued, in the other laws to be enacted.

There was, therefore, a constant rivalry between the two bodies, a feeling that the Concilium Ordinarium was usurping the functions of the Magnum Concilium. Nor was the hostility lessened when the latter developed into the Parliament. There is no more important or more interesting feature in the history of England between 1295 and 1640 than the struggle between Parliament and the King's Council. There was a constant effort on the part of Parliament to do away with irregular forms of taxation by means of the Council, and of legislation

by ordinance. For example, the charter confirmed in 1297 bound the King to levy no extraordinary taxes, "without the consent of the realm, and to the common profit thereof." Yet there seems to have been very little abatement of illegal taxation, and the Parliamentary records of the period abound in protests against it. In 1390 the commons petitioned that the chancellor and Council might not, after the close of Parliament, make any ordinance "contrary to the common law or ancient customs of the land, and the statutes aforetime ordained, or to be ordained in the present Parliament." But the King replied that "what had hitherto been done, should be done still, saving the prerogative of the Crown." And it was one of the charges brought against this King, Richard II., that he had maintained that the laws were "in the mouth and breast of the King," and that he by himself could change and frame the laws of the kingdom. Down to the period of the civil wars of the seventeenth century legislation by ordinance was common, and the matter was not finally settled on paper until the reign of Queen Anne, when it was enacted that an ordinance could not make a new law, but could only add force to an old one.

The great objection to government by Council was that it was government by a body responsible to no one save the King. Hence the effort on the part of Parliament to make the Council in some sense responsible to itself.

Again and again did it exert itself to get rid of the individual minister whom it found obnoxious. Thus in 1233 we find the earls and the barons refusing to attend Parliament, and threatening to deprive Henry III. of his crown, unless the Bishop of Winchester and others were dismissed from his councils. The King was obliged to assent to their demands.[1] Again, in 1312, "by the examination of prelates, earls, barons, knights, and other good people of the realm, it was found that Piers de Gaveston had evilly counselled the King," and had been guilty of other offences, for which it was ordained that he should be exiled forever.[2]

In 1376 we have the first instance of a Parliamentary impeachment. In that year William Latimer and others were "impeached and accused by the voice of the Commons for misdealing with the public revenue, condemned by the Lords in full Parliament to fine and imprisonment, banished forever from the Council at the request of the Commons."[3]

There was in 1386, in the case of Michael de la Pole, Earl of Suffolk, a foreshadowing of the doctrine of joint ministerial responsibility. For we read that "it seemed to the King and to the Lords of the Parliament that with respect to his conduct as a minister, he ought not to be

[1] Parry's "Parliaments," pp. 38, 80.
[2] "State Trials," Vol. I. p. 22.
[3] Hatsell, "Precedents," p. 57.

impeached without his colleagues then of the King's Council."[1]

In 1388 we have the first Bill of Attainder. In that year, De la Pole and three others were attainted "for having encroached upon the royal power, excluded good councillors from the King's presence, and for having been guilty of malversation and resistance to the authority of Parliament." In connection with this there was a most curious scene in Parliament. All the attainted men had fled except Sir Nicholas Brambre, mayor of London. He, on being brought before Parliament, asked the privilege of fighting to prove his innocency. "The appellants, hearing this courageous challenge," so runs the record, "with resolute countenance answered that they would accept the combat, and thereupon flung down their gages before the King, and on a sudden the whole company of Lords, Knights, Esquires, and Commons flung down their gages so quick that they seemed like snow on a winter's day, crying out, 'We also will accept of the combat, and will prove these articles to be true to thy head, most damnable traitor.' But the Lords resolved that battle did not lie in that case, and that they would examine the articles touching the said Nicholas, and take the information by all true, necessary, and convenient ways, that their consciences might be truly directed what judgment to give in his case to the honor of God, the

[1] Hatsell, p. 58.

advantage and profit of the King and his kingdom, and as they would answer it before God, according to the custom and the law of Parliament."[1] Brambre was convicted and put to death.

It would be easy to add other instances in which Parliament got rid of men whom it considered evil advisers of the Crown or bad administrators. But to get rid of a bad minister was one thing. To insure the succession of a good one, was quite another thing. Hence, parallel to the series of Parliamentary depositions of royal favorites runs a series of efforts made by Parliament to secure the power of appointing the King's ministers, that so they might be rendered responsible to it: efforts which attained their greatest successes in the appointment of the twenty-four barons under Henry III., and of the lords ordainers under Edward II.

Thus the struggle between the Council, representing irresponsible royal authority, and the Parliament, representing more or less perfectly the people of England, went on, and England earned the name of the "disloyal nation,"[2] and continued to deserve that name in a greater or less degree until almost by a series of happy accidents she stumbled upon Cabinet government. For it has been the mission of the Cabinet to unite these warring bodies, so that they now work together in perfect

[1] "State Trials," Vol. I. p. 89.

[2] Professor Thorold Rogers in *North American Review*, Vol. 131.

harmony, and to unite them too, not by a violent change or a mechanical contrivance, but by a natural, gradual, almost imperceptible development.

But before the final peace was made there was, under the Tudors, a long cessation from hostilities, owing to the fact that one of the combatants was too weak to fight, and the other too strong to care to do so. The Tudor sovereigns were able to be more nearly absolute than any of their predecessors had been since Henry II. The lofty position attained by royalty in the sixteenth century was due in great measure to the temporary depression of the law-making body. It was a transition period in Parliamentary history. The day of the great nobles had gone. The day of the people had not yet come. Hence the Crown had no formidable rival. Parliament almost ceased to be thought of as an essential part of the Constitution. Under Henry VIII. there were two periods of between six and seven years in which it did not meet at all. By Elizabeth, it was called together thirteen times, and sat from two weeks to two months at a time. During the whole forty-five years of her reign it was perhaps in session about eighteen months.

Having almost dispensed with Parliament, the Tudors chose to rule by means of the Privy Council. The period from 1485 to 1603 may be considered as the period of government by Council. The depressed Parliament was seemingly almost content that it should be

so. There was no rising against royal favorites. There was not a single impeachment during the Tudor period. Indeed, impeachments belong only to periods of struggle between King and Parliament. When either party is predominant, a simple dismissal from office is sufficient.

Not only was there peace between the Tudor councils and Parliament, but within the Council itself there was comparative peace. For while the councils of Henry VIII. and his children embraced men of talent, they were completely subservient to the King. There was therefore more agreement in them than in previous councils, for the bond of agreement was that they should all work together to do the sovereign's bidding. While there might be disagreements at the Council Board, the preponderating influence of the monarch kept these from becoming violent. While councillors sometimes gave advice contrary to the ideas of the King and of each other, if the King could not be convinced, they united to do his bidding, whether it was in accordance with their judgment and desires or not. Thus we find the Council losing in independence, but gaining tremendously in power. And, in 1539, Parliament for the time being surrendered all it had been struggling for, by enacting that the proclamations of the King, with the advice of the Council, were to be obeyed and kept as acts of Parliament. While this applied only to the

reign of Henry VIII., under his children proclamations had still very much the force of law.

During this period a somewhat closer connection between the Council and Parliament was established by the fact that it became customary for ministers of the Crown to have seats in the House of Commons. Ministers had always been members of the House of Lords; for, of course, in the early days, the persons suitable for ministerial office would be found only among the Lords. But their presence in the House of Commons was looked upon with considerable suspicion. They were not considered as a means for increasing the power of the Lower House, but rather as agents through whom its liberties might be endangered. In a Parliamentary debate, in 1614, it was stated that "anciently no privy councillor, nor any that took livery of the King, was ever chosen to the House of Commons."[1] But gradually, under the Tudors, ministers were employed who sat in the Commons, and acted as a means of communication between the Crown and the Lower House. Henry VIII. required that the speaker should look after the royal interests.[2] Under the children of Henry VIII. it became the custom to have a number of officers of state and members of the Privy Council in the House of Commons. But they were not, on account of their

[1] "Parliamentary History," Vol. I. col. 1163.

[2] Stubbs, "Lectures on Mediæval and Modern History," p. 272.

official position, considered as in any sense leaders of the Commons. Nor had they been appointed to their official positions because they were already leading the Commons. They were in the Lower House to increase the power of the Crown, and were introduced on the same principle that the Tudors added to constituencies and tampered with the electorate, in order to secure the election of candidates favorable to their own schemes. Both the ministers and the House understood this to be the state of affairs. Thus the very thing that was ultimately to make the Commons all-powerful in the state was, for the time being, an instrument for increasing their subserviency.

During the reign of Henry VIII. an attempt was also made to increase the power of ministers in the House of Lords, by the "Act for placing the Lords." According to this the chancellor, the treasurer, the lord privy seal, and the president of the Council were, if peers, to take precedence of all other peers, and the King's secretary, if a bishop or a baron, was to rank above all other bishops and barons.

That peculiar development of the Privy Council, known as the Star Chamber, became very prominent under the Tudors, and still more so under the early Stuarts. It has been supposed by some that this was a new court, established by an act of Henry VII., which granted it jurisdiction in certain cases, — maintenance,

seisin, giving of livery, having retainers, embracery, jurors receiving money, untrue demeanors of sheriffs in false returns and panels. But Sir Edward Coke and Lord Howard, chief justices of England under James I., decided that "the court subsisted by ancient prescription, and had neither essence nor subsistence by act of Parliament." In fact, the old Concilium Ordinarium had both civil and criminal jurisdiction; but the civil jurisdiction had been for the most part deputed to other courts, — those of Exchequer, Chancery, and Requests, while the criminal jurisdiction was retained in the court of Star Chamber. As the daughter courts of Chancery and Requests were courts of civil equity, so the mother court of Star Chamber became a court of criminal equity, although until the reign of Mary it exercised some civil jurisdiction. This is the view taken of it by Bacon, who says that "as the Chancery had the prætorian power for equity, so the Star Chamber had the censorian power for offences under the degree of capital."[1]

[1] Bacon, "History of Henry VII." Works edited by Spedding, Ellis, and Heath, Vol. VI. p. 85.

Lord Somers thus characterizes the Star Chamber: "The Star Chamber was but a spawn of our Council, and was called so only because it sat in the usual Council Chamber. It was set up as a formal court in Henry VII. in very soft words: to punish great riots, to restrain offenders too big for ordinary justice; or, in the modern phrase, to preserve the public peace; but in a little time

Under the Stuart kings the power of the Council declined rapidly. This was due, in the first place, to the fact that the House of Commons had grown strong enough to make itself heard. During the latter part of the reign of Elizabeth, it was evident that the Lower House was becoming a powerful element in the state; but the personal popularity and good sense of the Queen prevented serious trouble. But after her death James I. came to the throne, and as Bolingbroke says, "affected the minds of men with that epidemical taint . . . the divine right of kings, divine right of bishops, sacredness of the person of kings, and so forth, which, taken together, composed such a system of absurdity as had never been heard in this country until that anointed pedant broached them."[1] By his advocacy of these doctrines the King put himself in a position to excite the special antagonism of the Commons. As a consequence, their first address to him distinctly denies his absolute power in matters of religion, and by implication at least denies his absolute power in other matters. "Your Majesty

it made the nation tremble. The Privy Council came at last to make laws by proclamation, and the Star Chamber ruined those that would not obey. At last they both fell together." Minutes of Lord Somers's speech on Privy Council of Scotland in "Hardwicke State Papers."

[1] Bolingbroke, "On the State of Parties at the Accession of George I."

would be misinformed," so this address ran, "if any man should deliver that the kings of England have any absolute power in themselves, either to alter religion, or to make any laws concerning the same, otherwise than as in temporal causes by consent of Parliament."[1]

Hostilities between executive and legislative having been thus reopened, they continued until peace was made through the Cabinet. Again Parliament put forth strenuous efforts to control the ministers of the Crown. The impeachment of ministers was revived. The case of Bacon, who was accused of malversation, is not so much a case in point; but Buckingham was impeached distinctly for making use of his position as a minister to give bad advice to the Crown. Ministerial responsibility to Parliament was the principle for which Sir John Eliot contended more than for any other. Before the arrest of the five members, Charles I. promised to govern "by the advice of two or three persons, acceptable to the Commons."

At the very time when the altered spirit of Parliament made it dangerous to the King, the growing exigencies of the times made it necessary. It was not so easy to dispense with parliaments, and govern through councils as it had been. More money was needed than formerly, for two sources of revenue — the plunder

[1] Prepared but not presented.

of the Church, and the feudal dues — were almost exhausted. Nor were the Stuarts as economical as Elizabeth had been. Moreover, the need of a standing army was beginning to be felt, and as the people were manifesting a stronger dislike to irregular methods of taxation than ever before, Parliament was almost indispensable.

Not only the greater strength of Parliament, but the growing inadequacy of the Council made it evident that the former must increase, while the latter decreased. For the Council had to contend not only against attacks from without, but also against internal weaknesses. In the first place, at a time when the questions of the day required especially efficient men to cope with them, the Council was made up of especially inefficient men. There were giants who sat around the council table of Elizabeth, but such men were not often to be found among the advisers of her successor. In the second place, the large number of persons in the councils of the Stuarts was a source of weakness. It was soon found that there were many things which it was impossible to bring before so large an assembly. If all state affairs were to be discussed in the Council, its numbers must be reduced, and it must be frequently reconstituted. Hence, under the Stuarts, there was generally an interior council, of which we shall hear more later. In the third place,

the kings themselves, in their desire for personal government, did much to weaken the Council, and often drove their councillors to take sides with the Commons. For example, with the exception of Bolingbroke, the entire Council of James I. was violently opposed to the King's Spanish policy.

Thus, hard pressed on all sides, the Privy Council was weakening. The extra efforts which it was putting forth in some directions served but to indicate the desperation of a dying cause.

CHAPTER II

THE FIRST STEP TOWARD CABINET GOVERNMENT

The Cabinet a committee of the Privy Council — Gradual separation of small number of privy councillors from the rest — Hostility of Parliament thereby increased — Early use of the term Cabinet Council — Attempts of the House of Commons to appoint the councillors and to hold them responsible — Clarendon's Committee of Foreign Affairs — Precedents for it — Its composition and powers — Relation to the Privy Council — Relation to Parliament — Impeachment of ministers by Parliament — Clarendon keeps his position through favor of Parliament, in spite of the displeasure of the King. — A number of ministers, but no ministry — No acknowledged First Minister — The King *de facto* and *de jure* head of government — Unanimity in the Cabinet not required — Ministers do not resign when their advice is not taken — Ministers not always consulted — The King has advisers other than the ministers — Development of the idea of a ministry as shown in the impeachments of Clarendon and Danby.

I HAVE said that the Cabinet is a committee of the Privy Council. The Privy Council now numbering about two hundred is still the sole legal adviser of the Crown. Although this large body no longer holds deliberative sessions, and its functions are merely of a

formal executive nature, it is legally only in virtue of his position as a privy councillor that the Cabinet minister has a voice in the administration. Simply as a member of the Cabinet he is bound by no oath or declaration of secrecy, for the only oath required of him is that of the privy councillor.

The first step in the development of the Cabinet was naturally the altogether informal separation by the sovereign of a small number of the Privy Council from the rest, that he might discuss some of the more important affairs of state with them, before bringing them before the whole Board. This, as a settled and permanent arrangement, was accomplished gradually. Doubtless there had always been royal favorites, to whom more was intrusted than to ordinary councillors. Bacon tells us that "King Henry the Seventh of England, in his greatest business, imparted himself to none, except it were to Morton and Fox."[1] Henry VIII., too, had a tendency to consult with a certain number of councillors rather than with the whole body. Indeed, he adopted the practice of appointing what were known as "ordinary councillors," with the distinct understanding that they were rarely, if ever, to be consulted. Their position was hardly more than honorary. Again, in the Council of Edward VI., there was a political committee of eight chosen out of a body of forty.

[1] Bacon, "On Council."

But it was the Stuart kings who made this plan of intrusting the entire government to a very few persons a settled policy. Under James I. complaints were made that the government was run entirely by a few friends of the King.

Indeed, this first step increased rather than diminished the enmity between the executive and the legislative. Nor is it difficult to see why it should have done so. Parliament naturally thought that the Council as a whole was less likely to encroach upon its interests than were a small number of irresponsible royal favorites probably chosen simply because they might be counted upon to support any tyrannical schemes which the King had set his heart upon. It was at this stage in the development that Bacon pointed out the evils of this system of government in the familiar passage, in which he tells us that because of the inconvenience caused by a large council, "the doctrine of Italy and the custom of France in some kings' times hath introduced Cabinet councils, a remedy worse than the disease, which hath turned Metis the wife into Metis the mistress, that is, councils of state to which princes are married to councils of favored persons, recommended chiefly by flattery and affection."[1]

In spite of Bacon's protest the practice was kept up, and hardened into a custom. But custom did not

[1] Bacon, "On Council."

make the bearing of this system by Parliament "a property of easiness." Protests were frequent. One of the grounds of impeachment brought against Buckingham was that, by holding so many offices, he had acquired more weight in the councils of the King than was proper for any one man. And Sir Robert Cotton said in Parliament that the Commons desired that the King would "advise with his servants together, and not be led by young and ignorant counsel."[1]

It is in Clarendon's "History of the Rebellion" that we first read of an English Cabinet council.[2] There we learn that at the time that the peers met at York, "the bulk and burden of state affairs, together with the envy attendant upon them," rested principally upon the shoulders of the Archbishop of Canterbury, Strafford, and Cottington. Motives of convenience and expediency, however, induced the King to add a few others to those whom he would probably so gladly have made his sole advisers. Clarendon enumerates these others, together with the reasons for choosing them. Thus the Earl of Northumberland was ornamental, the Lord Bishop of London was chosen for his place, being Lord High Treasurer of England; the two secretaries, Sir Harry Vane and Sir Francis Winnibanke, "for service and communication of intelligence," and

[1] "State Trials," Vol. II. p. 1272.

[2] Clarendon, "History of Rebellion," Vol. II. p. 99.

lastly, "the Marquis of Hamilton indeed by his skill and interest bore as great a part as he had a mind to do, and," the historian adds somewhat facetiously, "he had the skill to meddle no further than he had a mind." "These persons," he goes on to say, "made up the committee of state, which was reproachfully afterward called the Junto, and enviously then in court the Cabinet Council, who were, on all occasions, when the secretaries received any extraordinary intelligence, or as often otherwise as were thought fit, to meet; whereas the body of the Council observed set days and hours for their meetings, and came not else together unless specially summoned."

It is Clarendon also who tells us that the practice of making honorary councillors had made the Council so large, that "for that and other reasons of incompetency committees of dexterous men have been appointed out of the tables to do the business of it." Among the "Hardwicke State Papers" are to be found the minutes of a Cabinet council held August 16, 1640.[1] Nine, perhaps ten, persons, besides the King, are mentioned as taking part in the discussion. Again, Clarendon tells us, that, in 1643, the King created a junto, "consisting of the Duke of Richmond, Lord Cottington, the two secretaries of state, and Sir John Colepepper." To this Clarendon himself was added much to Colepepper's displeasure.

[1] "Hardwicke State Papers," Vol. II. p. 142.

In this junto all matters were discussed, before they were brought to the Council Board.[1]

One of the charges brought against Strafford was "discourses of his, in committees of state, which they call the Cabinet Council." The remonstrance of 1682 complains of "managing of the great affairs of state in Cabinet Councils, by men unknown, and not publicly trusted."[2] The "Humble Petition and Advice" of the same year endeavored to secure Parliamentary control of the ministers, by requesting that none should be members of the Privy Council, except such persons as were approved by both houses. And, as recent experience had taught that not even the appointment of the Privy Council insured control over the policy of the administration, it was further requested that "no public act concerning the affairs of the kingdom proper for the Privy Council should be esteemed of any validity as proceeding from the royal authority, unless done by the advice and consent of the major part of the Council, attested under their hands." The granting of this clause of the petition would have introduced a state of things not unknown to English history. It would have been merely a revival of what was a regular custom during the reign of Henry V. For every act of his Council "was written on a separate paper, and signed by all the members present, except the

[1] Clarendon, "Autobiography," Vol. I. p. 85.

[2] Clarendon, "History of the Rebellion," Vol. II. p. 537.

officers."[1] And as it is not the first time that we hear of this method of endeavoring to secure the responsibility of councillors, so it is not the last. For this article of the "Humble Petition and Advice" was incorporated in the Act of Settlement of 1700.

During the period of the Commonwealth the controversy slept. Cromwell made no attempt to form a cabinet. Both legislation and administration were accomplished largely by means of committees.

In the burst of loyalty which followed the Restoration, it does not seem to have occurred to Parliament to make any vigorous attempts to secure the power to nominate the ministers of the Crown. We do, however, find Broderick writing May 16, 1660, "This day I dined with the Speaker and the President of the Council, and, debating a motion made by Sir Walter Earle, that the great officers of the nation ought to be chosen by Parliament, I found the President, after a declaration of loyalty to his Majesty, and regard to my Lord Chancellor and Lord Lieutenant, positively of the opinion that neither would be allowed these capacities. A strange distinction indeed he made that they should never inquire into the person of the Lord Treasurer, or of any other officer, relating to the King's person or his power, or of any ministerial officer; but of the judicial the general sense of the Council and of all the grave men was to present

[1] "Proceedings of the Privy Council," Vol. II. p. 26.

such to the King as they thought agreeable to the place, and for the chancellorship, if his Majesty chose to confer it upon Sir Orlando Bridgman, or Sir Geoffrey Palmer they should all be abundantly satisfied."[1]

At first sight it would appear as though there were no principle involved in the disposition indicated in this passage to distinguish between the chancellor and other ministers; that it was purely personal, and was actuated simply by a desire to keep Sir Edward Hyde out of the chancellorship. It has, however, been suggested that it arose from the feeling that the man who stood at the head of the law in England should not have a political character.[2] If there be any truth in this suggestion, it is an illustration of the curious inversion of things which has taken place during the last two centuries. It is of course still possible for an official appointed by Parliament to have no political character; but the last way to deprive a public officer of a political character which he already possessed would be to put his appointment into the hands of Parliament.

Whatever may have been the grounds of the Lord President's suggestion, it was not acted upon, and for the first seven years of the reign of Charles II., Hyde, who was soon made Earl of Clarendon, was Lord Chancellor, and the principal man in the realm. Burnet describes

[1] Lister, "Life of Clarendon," Vol. II. p. 364.

[2] *Ibid.*, p. 4.

him as "an absolute favorite, and the first and only minister, but in too magnificent a way."[1] His own writings have made us fairly acquainted with this man, and we know that he was not in all respects fitted for the position of first and only minister to the restored monarch. He could not realize that the England to which he had returned was quite different from the England which he had left. He did not wish to infringe upon the old Constitution which he understood; but he did not care to help on the new Constitution, which was in process of formation, and which he did not understand. The absolutism of Elizabeth seemed to him a desirable thing; the absolutism of Louis XIV. he would not have dreamed of aiming at. Thus, on the one hand, while the first Parliament of Charles II. would have been willing to have voted larger supplies, the chancellor did not ask for more because he had no mind to make the King independent of Parliament. On the other hand, when Charles complained of the criticism of administration which went on in the coffee-houses, Clarendon proposed that either a royal proclamation should be issued, forbidding the people to frequent these places, or that spies should be placed in them to give information with respect to any seditious conversations which might take place. A few years later the King made an attempt to act upon the former of these suggestions.

[1] Burnet, "History of my Own Times," Vol. I. p. 62.

Yet, unconsciously to himself, one of Clarendon's first advices to the King was a help to that constitutional development which he would so gladly have retarded. He saw that if consultation with the Privy Council as a whole had been impracticable under the early Stuarts, it was much more so now. For, in the first place, Charles had retained all the surviving members of his father's Council, and, out of thirty, twelve had borne arms against the King. Manifestly, it was not desirable to intrust all the affairs of state to an assembly so constituted. In the second place, Clarendon mentions with regret that the King disliked to listen to debates in Council; he preferred to have matters settled quickly with less talk. And, in the third place, there was no longer any necessity for consulting members learned in the law, for the Long Parliament, by abolishing the court of Star Chamber, had deprived the Council of its judicial functions, thus making it a purely political body. These considerations led Clarendon to advise the King to choose out various committees from among the councillors, and instead of consulting with the Council as a whole in all affairs of state, to bring each matter as it came up before its appropriate committee. Four such committees were proposed, — one for foreign affairs, one for the admiralty, navy, and military affairs, one for receiving

petitions of complaint and grievance, and one for trade.[1]

There was nothing really new in this. There never is anything new in English history. The English statesman can always find a precedent for all that he does. As for the precedents which Clarendon might have found, it is probable that the Council had always done some of its work through committees. The convenience of the system must have recommended it. In 1555 we have regulations providing for such an arrangement, and in 1620–1621 we find in existence a committee of the Council for war and one for foreign affairs. In connection with Clarendon's committee, we are told that "besides the established committees, if anything extraordinary happens which requires advice, his Majesty's meaning and intention is that particular committees be in such instances appointed for them, *as hath been before accustomed.*"

It is not certain that all the committees advised by Clarendon were actually organized, but the Committee of Foreign Affairs was, and it was by no means confined to foreign affairs. To it all matters of importance were intrusted before they were brought before the Council. It was the continuation of the Cabinet of Charles I. — a little more definite shape having been given to

[1] Lister, "Life of Clarendon," Vol. II. p. 6. Coxe, "Institutions of English Government," p. 648.

it. It consisted originally of the chancellor himself, Ormond, Southampton, Monk, Nicholas, and Morrice. As the chancellor's influence was paramount at the time of selection, it might have been supposed that he would have secured a very harmonious committee, all of his own way of thinking. And indeed he was tolerably successful in doing this. Seven years later he himself made the statement that at first they were "all of one mind in matters of importance; but after two years the King added others of different judgments and principles in Church and State."[1] Yet, as must always be the case, motives of policy and the desire to conciliate various parties had much to do with the selection of even this committee. Therefore it was not altogether homogeneous or altogether pleasing to either the King or the chancellor. Thus the King liked neither Southampton nor Nicholas, although he seems to have had a certain amount of confidence in them. They were both friends of Clarendon. On the other hand, Monk and Morrice were not admirers of the chancellor. But, on the whole, the Clarendon influence predominated.

In the State Paper Office are to be seen Nicholas's Minutes of the meetings of this committee during the first year after the Restoration — meetings which, in the beginning, Roger North tells us "were but of the nature

[1] "State Trials," Vol. VI. p. 376.

of private conversations, but then came to be formal councils."[1] They took place at first every Monday and Thursday in the chancellor's room, but later only once a week, on Sunday.[2] In the morning the great officers of state accompanied the King to divine service, and in the evening they waited upon him for consultation in state affairs. This practice continued during several reigns.

Thus, in 1660, a definite form was given to an arrangement which had been tried before at intervals, but which was destined from that time on to be a permanency. For ever since Clarendon's Committee of Foreign Affairs was organized, with the slight exception of the short time in which Sir William Temple's scheme was being tried, — and it will be shown later that even this was not an exception, — the government of England has been in the hands of a few persons rather than in those of the whole Council. Affairs of state were directed by a committee of which Clarendon was at the head, or appeared to the nation to be at the head, until 1667. From that time until 1672 we have the rule of the odious Cabal, and then the Danby administration. During all these years Cabinet government, which it must never be forgotten meant at this stage government by favorites, was growing more and more unpopular, and after the fall of Danby, in 1679, the King

[1] "Lives of the Norths," p. 348. Bohn Library.

[2] Campbell's "Lives of the Chancellors," Vol. IV. p. 87. Ed. 1857.

awoke to the fact that something must be done to make the administration more acceptable to the nation, and therefore called Sir William Temple to his assistance.

Before investigating Temple's scheme, let us pause to inquire what the Cabinet was at this, the first stage of its development. It had, of course, by no means the assured position and the all-controlling power that it has now. The choosing out of a small committee for special consultation did not deprive other privy councillors of their position as *de jure* advisers to the Crown — a position which they still hold. But for a time they remained also advisers *de facto*. In creating his Committee of Foreign Affairs, Clarendon did not intend to reduce the Privy Council to a nonentity. For greater expedition, and also for greater freedom of discussion, matters were to be brought before this committee first. But they were afterward brought either in whole or in part before the Council. Clarendon made the statement that "the Cabinet never transacted anything of importance (his Majesty always being present) without presenting the same first to the Council Board."[1]

Nor was this presentation merely formal. From the discussion which took place over the sale of Dunkirk, we see that the Council had by no means renounced its deliberative functions. Clarendon says that, in the first place, the sale was debated "in the committee to

[1] "State Trials," Vol. VI. p. 376.

which the King intrusted his secret affairs." Clarendon himself was ill. The committee met at his house. He knew nothing about the matter beforehand. After it had been fully discussed those present agreed to the sale, but the King decided not to come to a positive resolution until he had laid the proposition before the Council. This was done, and "after a long debate of the whole matter before the Council Board, where all was averred concerning the uselessness and worthlessness of the place by those who had said it at the committee," but one man — the Earl of St. Albans — was opposed to the sale.[1]

It is probable that for some time everything which it was deemed safe to discuss in the Council was discussed there, including some things which, like the sale of Dunkirk, it was deemed not safe not to discuss there; matters in which, from their importance, combined with the impossibility of keeping them secret, the King and his ministers hardly dared to act on their own authority. Yet the meetings of the Council for deliberative purposes must have grown less and less frequent. And, when in 1679 the King dismissed his privy councillors in order to make room for the operation of Sir William Temple's scheme, he said: "His Majesty thanks you for all the good advices which you have given him, which might have been more frequent if the great num-

[1] Clarendon, "Autobiography," Vol. I. p. 456.

bers of the Council had not made it unfit for the secrecy and despatch of business. This forced him to use a smaller number of you in a foreign committee, and sometimes the advice of some few among them upon such occasions for many years past."[1] It must be added that probably to make the calling together of the Council the more impracticable, Charles II. greatly increased its numbers.

More important than the relations of the ministers to the Council were their relations to Parliament. Here we find the essential difference between the embryonic cabinets of the seventeenth century and the full-grown Cabinet of the nineteenth century. For like their predecessors, Clarendon's Committee of Foreign Affairs, and its successors, were not regarded by Parliament as its leaders, but as its enemies. Indeed, the Parliaments of the seventeenth century were useful to the nation, not as they followed where the ministers led, but in proportion as they held a check upon them. Both in theory and in practice there was separation between the executive and the legislative. To say that the minister was in any sense responsible to Parliament, was an affront to the King. Thus Roger North tells us that in 1683 Secretary Jenkins was told that he would be accused by the House of Commons, and was advised to ask pardon upon his knees. He replied that "as

[1] Temple, "Memoirs," Vol. III. p. 45.

he had the honor to be his Majesty's Secretary of State, the case was not his, but his master's, and, by the grace of the living God, he would kneel and ask pardon of no mortal on earth but the King whom he served, and to him only would he give an account of anything done with intent to serve him."[1]

It was just on this question as to whom the minister was responsible that, as we have seen, the battle had been raging for centuries. After the Restoration it was renewed with quite the old vigor. It is true that Parliament no longer claimed the right to appoint the ministers, but the claim which it had reasserted under the early Stuarts, to get rid of ministers of which it disapproved by means of impeachment, it continued to maintain under Charles II. The case of Lord Clarendon is not perhaps a very marked illustration, for in the end the King seems to have been as anxious to do away with him as was Parliament, but whether he would have been able to do so without Parliamentary support is perhaps questionable. Undoubtedly the dissolution of the Cabal was due entirely to Parliamentary opposition. That ministry through which disgraceful negotiations had been carried on with France, through which the Exchequer had been closed, and a war with the Dutch had been brought about, in which, according to Temple "the nations had fought without being angry,"

[1] "Lives of the Norths," p. 352. Bohn Library.

and which "had succeeded in making only four great citizens," and under which the Declaration of Indulgence had been promulgated, was odious to every one except the King. Parliament found means of getting rid of it. Clifford was driven out by the Test Act. Arlington was forced to change his policy. Lauderdale was obliged to confine himself to Scotch affairs. Buckingham was dismissed in answer to an address from the Commons, and Shaftesbury saw that his safest course was to place himself at the head of the popular party. Later Danby was removed by impeachment, and thus up to 1679 Parliament was instrumental in getting rid of every ministry of Charles II.

We have evidence, too, that the Commons were beginning not only to put a minister out of office of whom the King approved, but even to keep one in office contrary to his wishes. In one notable instance, at least, Lord Clarendon kept his place for a short time through the support of Parliament, although he had forfeited the favor of the King. He and the Lord Treasurer, Southampton, disapproved of the Declaration of Indulgence, and especially of the clause that was attached to it, granting the King the power to dispense with penalties in ecclesiastical matters. They opposed it therefore in Parliament, were successful, and retained their positions, notwithstanding the displeasure of the King.

Turning our attention from the external relations of the Cabinet of Charles II., let us consider its internal arrangements — the relations of the ministers to one another. While we find the word Ministry used during this period, there really was no such thing in the modern acceptation of the term. There were a number of ministers, but there was no ministry. In the first place, there was no acknowledged head who was charged with the formation of a ministry. For so long as the King was *de facto* as well as *de jure* at the head of the government, no other Cabinet leader was necessary. And Clarendon tells us that nothing was so hateful to Englishmen as a prime minister, that they would rather be subject to an usurper who ruled as well as reigned, than to a lawful monarch who ruled through a prime minister.[1] When in 1661 Ormond

[1] Clarendon, "Autobiography," Vol. I. p. 89. About the same time Halifax was writing: "Our Trimmer cannot conceive that the power of any prince should be lasting, but when it is built upon the foundation of his own unborrowed virtue; he must not only be the First Mover and Fountain from which the great acts of State originally flow, but he must be thought so by his people, that they may preserve their veneration for him; he must be jealous of his power, and not impart so much to any about him that he may suffer an eclipse by it. He cannot take too much care to keep himself up; for when a prince is thought to be led by those with whom he should only advise, and that the commands which he gives are transmitted through him, and are not of his own growth, the world will look upon him as adorned with feathers

suggested to him that he give up the chancellorship, and confine himself to advising the King on matters of general policy, he answered that he "could not consent to enjoy a pension out of the Exchequer under no other title or pretence but being First Minister, a title so newly translated out of French into English that it was not enough understood to be liked, and every one would detest it for the burden it was attended with." Of course there was generally some one who, by his talents and influence, gained such an ascendency as to overawe his colleagues; but that was accidental, not a matter of settled policy. I have already quoted a passage from Burnet in which he speaks of Clarendon as the "first and only minister." Reresby calls him "the great Minister of State at that time."[1] Later he speaks of Buckingham as "the principal Minister of State," and adds "the King consulted him chiefly in all matters of moment; the foreign ministers applied themselves to him before they were admitted to have audience of the King."[2] North says that Jefferies was at one time "commonly reputed a favorite and next door to premier minister."[3]

But so far from the man who happened to be chief

that are not his own, and consider him rather an engine than a living creature." — HALIFAX, "On the Character of a Trimmer."

[1] Reresby, "Memoirs," p. 53. [2] *Ibid.*, p. 76.

[3] "Lives of the Norths," p. 354.

minister being intrusted with the entire formation of the ministry, ministers were often chosen of whom he wholly disapproved. For example, in 1662, the King by a large pension induced Clarendon's friend Nicholas to resign his position as Secretary of State, and in his place he appointed Sir Henry Bennet, afterward Lord Arlington, a man whom Clarendon characterized as one who "knew no more about the Constitution and laws of England than he did of China."[1] When Southampton died, the Treasury, against the advice of Clarendon, was put into commission.

In the second place, there was no ministry, because unanimity in the Cabinet was not as yet required. The ministers were men of different opinions, pledged to no particular policy. It was not expected that they should agree, but only that each one should give the King the benefit of his advice. It followed that it was impossible to speak of the policy of the administration. For as the individual minister was not appointed with the understanding that he was to support a particular policy, much less was the administration, as a whole, so chosen. We have numerous examples of disagreement among ministers. Thus during the period of the Clarendon ascendency, the servants of the Crown were divided on the Act of Uniformity, the Declaration of Indulgence, and the Five-mile Act. Coventry, who as a commissioner

[1] Clarendon, "Autobiography," p. 193.

of the Treasury, was a member of the administration, was active in the impeachment of Clarendon. Later Wilmington, the solicitor-general, was concerned in the impeachment of Danby.

As unanimity in the Cabinet was not required, it followed that the minister did not resign because his advice was not taken. He too frequently in that case remained in office simply to carry out the royal will. Thus Burnet writes of Henry Coventry: "He never gave bad advice; but when the King followed the ill advice that others gave, he thought himself bound to excuse, if not to justify, them. The Duke of York said that he was a pattern to all good subjects, since he defended all the King's counsels in public, even when he had opposed them most in private with the King himself."[1] And again of Ormond, "He always gave good advices, but when bad ones were followed, he was not for complaining too much of them."[2] For the minister to stand by the King whether he approved of his course or not, was considered by many the chivalrous thing to do. And especially was it the chivalrous thing to do when the minister saw that the King was following bad advices, which were likely to get him into trouble. It was the custom to remain in office until dismissed by the sovereign, and dismissal was generally looked upon as a disgrace.

Unanimity in the Cabinet was not necessary for the

[1] Burnet, "History of my Own Times," p. 204. [2] *Ibid.*, p. 63.

same reason that a prime minister was not necessary — the personal rule and paramount influence of the King. Indeed it is possible to trace all the important differences between the ministry of to-day and the loosely connected body of ministers of two centuries ago, to the fact that it is to the Parliament, and no longer to the King, that the ministers are responsible. The change in the external relations of the ministry necessitated the change in the internal relations. Nor were these internal changes practicable until the external had been effected.

From the fact that the ministers were responsible to the King alone, it followed also that the King did not consider it necessary to consult them on all subjects. Business which could be transacted without bringing it before Parliament was sometimes transacted without the knowledge of certain ministers — occasionally without the knowledge of the principal minister. Other matters were arranged to be introduced into Parliament, and prominent ministers knew nothing about them until the plans were completed. Thus Clarendon, writing to Ormond of the Declaration of Indulgence, says: "I could not give you any account of the Declaration, knowing no more of it myself than that one day when I was in great pain, Sir Henry Bennet came to me, and told me that the King had observed a great malice abroad, infusing jealousy into the people, and therefore that his

Majesty had resolved, as an antidote to that poison, to publish a declaration which was prepared, and he was sent to read it to me. When I had heard it, I made objections to parts, and expressed some doubts as to its seasonableness. Sir H. B. departed. Some time after, when I was in the same indisposition, he came again to me, and told me that he had made such alterations as would answer all my objections, and that the King had resolved that it was time to publish it. I told him by the time he had written as many declarations as I had done, he would find that they were a ticklish commodity, and the first care is to be that they do no hurt."[1]

The Cabal were commonly supposed to be willing to go all lengths with the King, but not even to all of them did he intrust all his secrets. Clifford and Arlington were the only members of that body who knew all the terms of the treaty of Dover. The treaty which the other councillors signed was just like it, except that the article concerning religion was left out. Danby and Lauderdale were intrusted with the contents of the treaty which Charles made with France in 1676, but Coventry and Williamson were not.

[1] Lister, "Life of Clarendon," Vol. II. pp. 204–205.

Bennet tells a different story, but for the point which I have to make, the truth or falsity of Clarendon's statement does not much matter. The fact that he made the statement at all shows that there was nothing unheard of in such a proceeding.

As the King was not bound on all occasions to ask the advice of his ministers, so he was not bound to limit his consultations on state affairs to them. George III. did not originate the idea of employing two ministers at the same time: the one nominal, holding the offices; the other real, giving the advice. While Clarendon was still regarded by the nation as the first officer of state, Pepys tells us that the King's real councillors were "my Lord Bristol, the Duke of Buckingham, Sir Henry Bennet, my Lord Ashley, and Sir Charles Berkeley, who, amongst them, have cast my Lord Chancellor on his back past ever getting up again, there being now little for him to do. He waits at court, attending to speak to the King, as the others do."[1]

Signs were not wanting, however, that the old order of things was passing away, as regards the internal as well as the external relations of the Cabinet. The two notable impeachments of the reign, combined with the attitude of the nation toward the fallen ministers, mark a stage in the history of Cabinet development. Clarendon was really held responsible for all the misfortunes of the country during his administration. Things had gone wrong, and some one must be to blame for it. It did not seem feasible to call the King to account, and the next person the people could think of was the chief minister. The result was that

[1] Pepys's "Diary," May 15, 1663.

he was obliged to suffer for many things for which he was no more responsible than were others, and for some things which he had tried to prevent. Thus he was held responsible for the Dutch war, which he had opposed, and for the division of the fleet, which he had not suggested.

The feeling that the minister should be responsible for whatever takes place while he is in office is even more marked in the case of the impeachment of Danby. This minister, throughout his administration, opposed the French policy of the King as vigorously as it was possible for him to oppose it and yet retain his position. Because the French King recognized the fact that he was the principal obstacle in the way of carrying out his schemes, he determined to ruin him by making him appear the friend of the French court. Under his master's directions, Danby had written a letter to Montagu, the English minister in France, empowering him to make application to the French court for a sum of money. Louis now ordered Montagu to betray this fact to the English. Danby pleaded the King's command, adding: "I believe there are very few subjects but would take it ill not to be obeyed by their servants; and their servants might as justly expect their master's protection for their obedience. The letter was written by the King's command upon the subject of peace and war, wherein his Majesty alone is at all

times sole judge, and ought to be obeyed, not only by his ministers of state, but by all his subjects."[1] No doubt could possibly be entertained of the truth of this statement, for Charles had himself added a postscript with his own signature to the letter under consideration. But the plea did not save the minister; and when he further pleaded the King's pardon, it only served to incense the House the more. The Commons went so far as to resolve that "no commoner whatsoever should presume to plead the validity of the King's pardon granted to the Earl of Danby without their consent, on pain of being accounted a betrayer of the liberties of the Commons of England."[2] Thus the man whom the English and the French King both knew to be the chief enemy of the French policy of the English King was held responsible for that policy.

These are most significant facts. In them we see, in the first place, a promise of the greater power that was to come to the ministry through responsibility to Parliament. For if the minister is to be held responsible by Parliament for what happens during his ministry, he must have full power to control what happens. That is, the personal rule of the sovereign must cease. The Cabinet must soon wake up to the fact that it is not possible to serve two masters; that Parliament

[1] "Parliamentary History," Vol. IV. col. 1070.

[2] *Ibid.*, cols. 1130–1131.

is a most exacting taskmaster, and in order to fulfil its requirements more power on the part of the servants is necessary. In the second place, we see, though perhaps not quite so clearly, a prophecy of the future solidarity of the Cabinet. If the individual minister is to be held responsible for all important measures taken by the administration as a whole, he must be understood to agree to all such measures; and if in any case he is not willing to incur responsibility for governmental action, he must announce his position to the nation by resigning his office. Thus have the external relations of the Cabinet affected its internal development.

But if in these impeachments we find indications of what the outcome of the struggle between King and Parliament for the control of the ministers was to be, they also show very clearly the evils of the transition period. The excitement and bitterness attendant upon them were the natural accompaniments of the stage of development then reached. There were just two ways in which it was possible to get rid of a minister. Either the King dismissed him or Parliament impeached him. If he managed to keep on good terms with the King, he remained in office until the House of Commons was lashed to such a state of fury as to bring about a political impeachment. The hatred directed against Clarendon is a strong example in point. Yielding to the popular fury against him, and being also himself not a little

incensed, Charles dismissed him without waiting for an impeachment. But the Commons were not satisfied, for an impeachment was brought even after his dismissal. All manner of accusations were brought against the ex-chancellor; and when the accusers were told that these would not amount to high treason, they asked what would amount to it, as though willing to bring any charge imaginable, if only their end might be attained. Among the articles of impeachment as at first drawn up, none was found to amount to treason; but the one which came nearest to it was Article XVI., which read, "That he hath deluded and betrayed his Majesty and the nation in foreign treaties, and negotiations relating to the late war." When this was read in the House, Lord Vaughan moved that the words be added "and discovered and betrayed his secret counsels to the enemy," promising to produce proof later. He confessed afterward to Lord Dartmouth "that he did not know any one thing against Lord Clarendon, but that he knew that he had so many enemies that he could never want any evidence to make good what he said."[1]

Much the same spirit was shown in the impeachment of Danby. He was charged with high treason for offences that could not possibly amount to that crime, and charges were brought against him for which there

[1] Burnet, "History of his Own Times," Vol. I., 172d ed., 1830.

was no proof. Under the present arrangement, by means of which it is possible to get rid of an administration as soon as it is displeasing to the Commons, such hatred of and injustice toward a minister would be almost an impossibility.

The first step in the development of a system which was to reconcile the executive and legislative branches of government had been taken; but until other steps were taken, so far from lessening the hostility it had increased it. To us, looking back upon the period, signs are discernible even then of the way in which the problem was to be solved.

CHAPTER III

AN ATTEMPT AT A COMPROMISE : SIR WILLIAM TEMPLE'S SCHEME

From the Restoration, Parliament a permanent feature of the Constitution — Hence tendency to absorb all the functions of government — Attempts on the part of the King to control Parliament — Sir William Temple asked to frame a plan of government — His character — His plan — The King and Temple disagree over the admission of Halifax and Shaftesbury to the Council — Formation of interior Council of nine — Formation of interior Council of three — Halifax added to this Council — Dissensions in the Council — Shaftesbury becomes leader of the Opposition in Parliament — Shaftesbury and Monmouth are for a short time members of the interior Council — Dissolution of Parliament — Dissolution of interior Council — Formation of new interior Council—Members of Council ceased to attend — Abandonment of the plan — Causes for its failure.

AFTER the dissolution of the Long Parliament of Charles II., and the meeting of the very violent new Parliament of 1679, the King awoke to the fact that some change in the mode of administration was necessary. Something must be done to bring about more harmonious relations between Parliament and the Crown. He had discovered by bitter experience that

the English Constitution was undergoing a change, and he must do what he could to prevent that change taking a direction too unfavorable to himself.

The principal change, as Professor Seeley has so well pointed out, lay in the fact that Parliament had become a fixed and permanent feature in the body politic.[1] Since the Restoration, no English sovereign has attempted to govern without a parliament. That body has been recognized as an authority at least coördinate with the Crown. And no sooner had it attained this position, than it exhibited a tendency to absorb all the functions of government. The history of the Long Parliament of Charles II. is that of a seventeen years' struggle with the sovereign, and that too in spite of the fact that in no former period of equal length had the Crown exceeded its lawful authority so little, and the further fact that this Parliament was the most enthusiastically loyal set of men that could be got together. When such men proved so stubborn in maintaining their rights, it was useless to hope to ever again have a House of Commons, possessed of "the primitive temper and integrity, the old good manners, the old good nature,"[2] for which Clarendon sighed.

[1] Seeley, "Introduction to Political Science," p. 254 *et seq.*

[2] "Expressions of my Lord Chancellor Clarendon, which I could never read without being moved."—BOLINGBROKE, "On the State of Parties at the Accession of George I."

As we have seen, Parliament had been instrumental in getting rid of every ministry of Charles II. prior to 1679. Nor had it been content with taking to itself the power of dismissal. It had attempted in every way to control the exercise of royal authority. It had disputed the pardoning power not only in the case of the wholesale pardon of the Declaration of Indulgence, but as we have seen it had treated the pardon of Danby with contempt and indignation. It had forced the King to make peace with Holland, and had almost forced him to make war with France. The Commons had also made use of their power over the purse to control executive action. Thus, in 1665, when they granted supplies for the Dutch war, a clause was introduced into the Subsidy Bill, providing that the funds so voted should be used only for the purposes of this war. In order that Parliament might be sure that this clause of the bill was respected, a committee was appointed in 1666 to inspect the accounts of the navy, ordnance, and stores. When the authority of this committee was discovered to be deficient, commissioners were appointed with the most extraordinary powers to examine into the public finances. "They were to examine upon oath, to summon inquests if they thought fit, to commit persons disobeying their orders to prison without fail, to determine finally on the charge and discharge of all accountants; — the barons of the

Exchequer, upon a certificate of their judgment were to issue process for recovering the money to the King's use, as if there had been an immediate judgment in their own court. Reports of the commissioners' proceedings were to be made from time to time to the King, and to both Houses of Parliament. None of the commissioners were to be members of Parliament." [1]

Thus much for the attempt which Parliament had made to control the King and his ministers. On the other hand, the King and his ministers had done all they could to control Parliament, especially the House of Commons. Clarendon tells us that from the Restoration until 1663, the King referred the conduct of affairs in Parliament to the Lord Chancellor and Lord Southampton, "who had every day conference with some select persons of the House of Commons, and with these they consulted in what method to proceed, in disposing the House, sometimes to propose, sometimes to consent to, what should be most necessary to the public, and by them to assign parts to other men whom they found disposed and willing to concur in what was being desired." [2] After the fall of Clarendon there continued to be persons, either in or out of the ministry, who endeavored to secure majorities in the

[1] "Parliamentary History," Vol. IV. cols. 334, 336.

[2] Lister, "Life of Clarendon," Vol. II. p. 7.

House of Commons for the ministers. But they were frequently unsuccessful, even when to their other arguments gold was added.

The attitude of the executive officers toward Parliament may be seen in a bill which was brought into the House of Lords in 1675, probably not at the suggestion, but certainly with the approval, of Danby, who was then chief minister. This bill required all office-holders and all members of Parliament to take an oath, declaring that they considered resistance to the royal power in all cases criminal, and that they would never alter the government in either Church or State.[1]

It was impossible to govern either by Cabinet or by Parliament: impossible to do so by Cabinet because of the vigorous opposition of Parliament and the nation; impossible to do so by Parliament because of the King's own strong repugnance, and because Parliament was at that time made up of violent, undisciplined factions, without organization or leadership. The King must somehow make a workable combination of the two. He did not understand how to do this, so he called Sir William Temple to his assistance.

Macaulay's characterization of Temple is well known, — "A man of the world among men of letters, and a man of letters among men of the world." While he understood foreign affairs better than any other Englishman

[1] "Parliamentary History," Vol. IV. col. 715.

of the time, he had a desire to keep out of politics which, under the circumstances, was almost culpable. Up to this time he had never sat in the House of Commons, and had no desire to do so. He had repeatedly refused the office of Secretary of State, on the ground that he was not a member of the House of Commons. That he might always have this excuse for refusing office, he took care not to be elected to Parliament. Thus he says, in 1679, "The elections were canvassing for a new Parliament, and I ordered my pretensions, so that they came to fail."

He had the Englishman's dislike of a violent break with the past. For as he says very beautifully: "The breaking down of an old frame of government, and the erecting of a new seems like the cutting down of an old oak, and planting a young one in the room. 'Tis true the son or grandson, if it prospers, may enjoy the shade and the mast; but the planter, besides the pleasure of imagination, has no other benefit to recompense the pains of setting and digging, the care of watering and pruning, the fears of every storm and every drought; and it is well if he escapes a blow from the fall of the old tree or its boughs as they are lopped off."[1]

Holding the view that he did, Temple naturally did not wish to make any greater changes than were absolutely necessary to make the machine of government

[1] Temple, "Essay on the Origin and Nature of Government."

run smoothly. He conceived that the best and easiest way of securing the administration against further Parliamentary encroachments, and at the same time relieving it of its despotic character, and making it popular, "giving ease and quiet" as he puts it "both to the King and to his people" was to dissolve the present Privy Council, and to establish a new one, all the members of which were to be intrusted with all state secrets, and the King was to bind himself to follow the advice of this Council. He suggested that thirty persons should serve as members of the Council. Fifteen of these were to be the chief ministers of law, state, and religion. The other fifteen were to be noblemen and gentlemen of fortune holding no official position. The combined annual income of the Council was to be £300,000, an enormous sum for that age, and only £100,000 less than the aggregate income of the House of Commons.

Temple seems to have thought that through this plan liberty would be guaranteed without the anarchy which, under the existing conditions, was the necessary accompaniment of Parliamentary rule. For it would be impossible to gain the assent of so large a council to schemes such as found favor with the Cabal, and he hoped that Parliament, because of its confidence in this Council, representing as it did all the great interests of the nation, — the law, the Church, Parliament, and the moneyed interests, — would be willing to give up

its struggle for those powers which it may be said to have reached, but not grasped. As he had not sat in the House of Commons, he probably did not have the affection for that turbulent body which membership in it would have given him. And it is also probable that he did not consider that the House of Commons, if it fell in with his scheme, would have made a bad bargain. For while that House had shown itself powerful enough to turn out a government which was displeasing to it, it had not as yet acquired the power to insure the succession of a government which it considered more desirable. Why should it not accept the half-loaf which was offered to it, rather than in the struggle to obtain the whole, run the risk of not getting anything? In forming his Council, Temple did indeed take into consideration the chance of the King's doing without a Parliament, for he says, "Authority is observed much to follow land, *and at the worst such a council might upon their own stock, and at a pinch, furnish the King so as to relieve some great necessity of the Crown.*"

The King accepted the plan, and the next thing was to decide upon the persons who were to constitute the Council. Over two of these, Charles and Temple disagreed. Temple proposed to admit Halifax, the most brilliant perhaps of the statesmen of the age. The King had taken a temporary dislike to him, and would not at first consent to his serving in this capacity. Temple,

however, by representing that Halifax would be very helpful in the Council, and might be very hurtful if left out, gained his point. The King then wished to put Shaftesbury in. Against this Temple protested as vigorously as possible, but the King would not yield. As it was thought that Shaftesbury would never be content with being simply one of a council of thirty, he was made Lord President, the number of the councillors being increased to thirty-one. In telling the story afterward, Temple said, "When I could not hinder my Lord Shaftesbury's being brought into the Council, I would have been very content that it had died."

Scarcely had the Council entered upon its work than its foundation principles were infringed upon. A secret interior Council of nine members was formed, and in this the influence of Shaftesbury and Monmouth was so strong that Temple seriously contemplated incapacitating himself for service by neglecting to take the sacrament.

Soon Lord Sunderland asked that he and Temple "might be joined together in perfect confidence, and distinct from any others in the course of the King's affairs." Temple, who seems to have had considerable faith in the political wisdom of this depraved statesman, was willing to embrace his proposition, although he saw no need of it, since, as he says, he considered that all affairs could and should be settled by the whole Council, with the aid

of its particular committees. In about a fortnight, Sunderland requested that Essex be taken into their confidence. Temple demurred a little. However, he consented to admit him. These three consulted together, Temple tells us, about the "principal affairs that were then on the anvil, and how they might best be prepared for the Council and the Parliament."

Naturally, this interior Council of three was looked upon with suspicion and jealousy both by Parliament and the Council of thirty, and, therefore, did not find its work easy. Temple thought it might help matters to invite Halifax to join them, representing as he had before represented to the King, that Halifax would be most dangerous as an enemy, but most valuable as a friend. This proposition was accepted, although it met with considerable opposition from Sunderland. For a time the four members of the interior Council discussed everything before it was brought before the Council of thirty with such apparent harmony that Temple told his colleagues that they four were either the four honestest men in England or the greatest knaves, for they made one another at least believe that they were the honestest men in the world.

But if the meetings of the four were peaceful, this could not be said of the meetings of the thirty. Shaftesbury was naturally chagrined to find himself, though president of the Council, left out of the interior

Council. At the meetings of the thirty, he and Halifax carried on a war of words, in which Halifax generally came off victorious.

Finding that he could not control the Council, Shaftesbury, with the aid of Monmouth, undertook to control Parliament, and to *stir it up against the Council.* In this he was successful, *and thus we find the president of the Council in the curious position of leader of the opposition.*

The three lords of the interior Council, observing the power which Shaftesbury and Monmouth were gaining in Parliament, thought that this might be diverted to the side of the government, if they were asked to join their number. Temple absolutely refused to consider this. Whereupon, for a short time, he was left out of their consultations, and the real interior Council consisted of Sunderland, Essex, Halifax, Shaftesbury, and Monmouth. But the new colleagues were found to be unmanageable, being bent on themselves becoming the sole advisers of the Crown. So the consultations of the four, which had been interrupted, were resumed.

Shortly after this, without asking the advice of the Council by which he had promised to be governed, the King prorogued Parliament. Although only the four members of the interior Council were in favor of it, the next step was to dissolve this Parliament. Temple tells us that Russell, Shaftesbury, and one or two more were "in the greatest rage in the world"

over this. Thus, in the case of the prorogation, the Council, without whose advice nothing was to be done, was not even consulted; and in the case of the dissolution, four votes outweighed twenty-seven.

During the summer of 1680 the King was very ill, and the Duke of York, who had been in Holland, suddenly made his appearance in London. It soon appeared that Halifax and Essex, fearing lest, if the King should die and the Duke of York was not on the spot, the ambitious designs of Monmouth might be crowned with success, had sent for him. Temple was indignant that his colleagues should have decided upon so important a step without his knowledge. Essex and Halifax complained that they were not in the King's confidence, but were made other men's dupes. The conferences of the four stopped. Essex resigned his position as first commissioner of the Treasury, and was succeeded by Hyde, who, with Godolphin, was now brought into the Council.

A Cabinet of three, consisting of Sunderland, Hyde, and Godolphin, took the place of the Cabinet of four. The King with the advice of these three decided to prorogue Parliament for a year. He announced this fact to his Council, with the statement that he had considered the matter carefully, and would hear nothing against it. Temple, quite as much surprised by this move as was anybody else, made a speech in

which he asked the King to form some kind of a council which should counsel him, adding, "I doubt whether to make counsellors that shall not counsel is in your Majesty's power or no, since it seems to imply a contradiction."

After this Russell, Cavendish, Capel, and Powle went to the King and asked to be excused from attendance at Council. Salisbury, Essex, and Halifax also ceased to attend, but without going through the form of asking permission to absent themselves. Temple wished to do the same thing; but because he thought it not right that the King should be deserted by so many councillors at once, he continued to serve, using his best endeavors to convince the King that it was necessary for him to work in harmony with Parliament; if not with the present Parliament, with some Parliament. If, he said, the mountain would not come to Mahomet, then Mahomet must go to the mountain.

The King, however, was fully convinced by this time that the new plan would not work, and he had no further use for its author. When Temple asked whether he should stand for Cambridge in the coming Parliamentary elections, he advised him not to. Shortly afterward Temple, Sunderland, and Essex were dismissed from the royal service. Temple retired to rear melons. His scheme, he said, had failed, and he was content to have failed with it; and so he "took

his leave of all those fairy visions which had so long busied his thoughts about mending the world."[1]

He always attributed the failure of his plan to the admission of Shaftesbury to the Council. But the defects of the plan itself were sufficient to account for its lack of success. In the first place, when the proposed Council was announced, he tells us that, although the joy in England and Holland was great, "the House of Commons received it with great coldness, when the contrary was expected." Perhaps that House did not see quite clearly whereto the success of this Council tended; but in a blind way it felt it, and therefore was not pleased. In the second place, in any period of English history, a council consisting of as many as thirty members would have been unmanageable, but especially so in an age so marked by the corruption and self-seeking of its statesmen as was the later Stuart period. Nor were its size and the lack of a real public spirit on the part of its members the only reasons why Sir William's Council could not work to advantage. It must be remembered that the thirty, chosen to please all parties, represented all shades of opinion. In fact, the Council was a miniature Parliament, and no better calculated to act as an executive board than was the real Parliament. We

[1] A full account of this Council is found in Temple's "Memoirs," edited by T. P. Courtney, Vol. II. pp. 34–74.

are not, therefore, surprised that the interior Council was formed, and that there was the same enmity between the larger and smaller councils that there was between Parliament and the Cabinet. Members of the Council who were not also members of the interior Council simply made use of their position and influence to stir up hostility against the four. Finally, while the statement was made that the King was always to follow the advice of his Council, no provision was made for forcing him to do so, and as we have seen, he did not do so.

Temple enunciated two principles, — first, that the advisers of the Crown must represent the varied interests of the nation, and second, that the King must follow their advice. In other respects his plan was a retrogression, an undoing of the one step in advance which had been taken. Its failure proved that the progress which had begun was not to be stopped by any compromise or half-measures. It is true that some tyranny would probably have been avoided by its success, but without the tyranny it is not likely that England would have had the liberty that followed it. As Halifax put it, "The too earnest endeavors to take from men the rights that they have, tempt them, by example, to claim that which they have not."

CHAPTER IV

THE SECOND STEP TOWARD CABINET GOVERNMENT

Temple's scheme makes no permanent change in the situation — Origin of the Whig and Tory parties — Composition of the Cabinet in the last days of Charles II. — Meetings of ministers apart from the King — Cabinets of James II. — First Cabinet of William III. — Dissensions in this Cabinet — Hostility of Parliament to Cabinet government — Resignations of Halifax and of Shrewsbury — The business of government almost at a standstill — Sunderland suggests that Parliamentary leaders be chosen as ministers — And that, for the present, the ministers be taken entirely from the Whigs — The government of the Junto, 1695–1698 — The King still the real head of the administration — No prime minister — Appointments in the hands of the King — He transacts business without the knowledge of the Cabinet — The Partition Treaty — The Cabinet not a sharply defined body — Unwillingness of ministers to give advice — Principle of the solidarity of the Cabinet not yet established — Difficulty of the ministers in serving both King and Parliament — The Junto do not resign on losing their majority in the Commons — Better discipline maintained among the Whigs than heretofore — A divided ministry succeeds the Junto — William promises to establish another Whig ministry, but dies before it is accomplished — Attempts to exclude ministers from the Commons by means of place bills — Attempt to revive the

Privy Council by a clause in the Act of Settlement — Contemporary account of the Constitution under William.

AFTER the failure of Temple's scheme, affairs settled back into the position in which they were before it was tried. The remainder of the reign shows nothing especially new in the history of Cabinet development. The struggle between executive and legislative continued. Men of all shades of political opinion continued to act as colleagues in the administration, and constant dissensions between ministers continued to emphasize the necessity for the formation of a ministry.

There are one or two points which are deserving of notice. In 1679 we first hear the names Whig and Tory applied to the two great political parties, and with the new names party lines were more sharply defined than ever before. As the Cabinet system has its foundation in party government, this is an important fact in the development of our subject. English political parties, standing for a definite principle, are first discernible in the reign of Elizabeth. Before that we frequently have ambitious men struggling by various means to advance their own interests. And we have also men uniting for a short time to secure national rights against the encroachments of the Crown. But when the definite object for which they were struggling had been gained, such men fell apart. "Classes," says May, "asserted

their rights; but political parties, habitually maintaining opposite principles, were unknown." [1]

But in the days of Elizabeth we see two distinct parties beginning to form in Parliament. The one upheld the prerogative of the Crown; the other stood out as the champion of popular rights. When James I. came to the throne with his doctrine of divine right of kings, the party opposed to the court was driven to emphasize its position more emphatically than before. Under Charles I. the well-known names Cavalier and Roundhead were adopted. In the first years after the Restoration, there was a lull in the hostilities. As Bolingbroke puts it, "Roundhead and Cavalier were in effect dead, Whig and Tory were not yet in being. The only two apparent parties were those of Churchmen and Dissenters, and religious differences alone at this time maintained the distinction." [2] But very soon we have parties divided on the same lines as before, though with different names, being now known as the Court and Country parties.

It was during the fight over the Exclusion Bill in 1679 that the rather absurd new names arose, the Whigs being the friends of that bill, and the Tories its opponents.[3]

[1] May, "Constitutional History," Vol. II. p. 19.

[2] Bolingbroke, "Dissertation on Parties."

[3] The supporters of the Duke of York, having tendencies toward Catholicism, were supposed to be Irish, and hence were

Nor was it the Exclusion Bill alone that made party lines more distinct in 1679–1680 than they had been before. At the time of the prorogation of Parliament in 1679, the King issued a proclamation, indicating his dislike of petitions, and rather encouraging the magistrates to deal with the authors of such as might be drawn up. But the Whigs, not frightened by this, presented numerous petitions, asking for a session of Parliament, while the Tories sent in addresses expressing their confidence in the King, and abhorrence of the petitions. Hence the two parties were sometimes known as Petitioners and Abhorrers. Thus each side was true to its principles: the Tories showing themselves ready to trust the King and submit to his will; while the Whigs stood forth as the advocates of popular liberty.

During the last years of the reign of Charles II. we catch two or three brief glimpses of the internal arrangements of the Cabinet. Roger North gives us Lord Guilford's notes on the "posture of the Cabinet" in 1683.[1] We would gather from these that perhaps the composition of the Cabinet at this time was a little more definite

called Tories — a term applied to bog-trotters in Ireland. The other party were called Whigs: according to some a Scotch vernacular for sour whey; according to others from the Scotch covenanters of the southwestern countries in Scotland, who were called Whigamores, or Whigs, when they made an inroad upon Edinburgh in 1648 under the Marquis of Argyll.

[1] "Lives of the Norths," p. 352.

than it was a few years later, in the reign of William III. Seven persons are enumerated as Cabinet ministers: Radnor, the Lord President; Halifax, Lord Privy Seal; Conway and Jenkins, Secretaries; Rochester, Treasurer; Ormond and Godolphin. North also gives an account of a Cabinet meeting at which a great jail delivery was proposed.[1]

The King was always present at these meetings, but we read that "while the Secretary (Jenkins) stood, and Lord Halifax and Lord Hyde, who had spirits and were hearty, they often met at the Secretary's on evenings, to consider such dependences as were to come before the King the next day. The benefit of which was very considerable to the King's affairs as well as to themselves, for so the matters were better understood than if no previous deliberations had been taken; and they were not unprepared to speak of them in terms proper for his Majesty to entertain, without mistake or clashing one with another, which happens sometimes with mere words, when the thing is agreed."[2] These informal gatherings of a few ministers, apart from the King, may be looked upon as a prelude to Harley's famous Saturday dinners, about which we read so much later.

In his manner of choosing and method of dealing

[1] "Lives of the Norths," p. 352.

[2] *Ibid.*

with his ministers, James II. adopted the same principles that his brother had followed. Violent political opponents were appointed to office at the same time. The King was his own minister of marine. He had no intention of consulting his ministers on all matters. When he gave the Privy Seal to Halifax, he said to the French ambassador: "I know him, and I can never trust him. He shall have no share in the management of public business. As to the place I have given him, it will just serve to show how little influence he has."[1] Shortly afterward he dismissed Halifax, because he refused to support him in his efforts to do away with the Test Act, and then all other ministers who would not fall in with his plans. "I *will* have unanimity among my ministers," he said; but he only meant that they were to be unanimous in their obedience to him. Sunderland and Godolphin stayed with him to the end; but Godolphin was only a man of business, and Sunderland, having gone all lengths with his master, finally betrayed everything to the enemy.

Coming to the throne as he did, in appointing his ministers, William III. thought it especially necessary to conciliate all parties. He made Shrewsbury, the darling of the Whigs, First Secretary of State. Nottingham, whose Toryism was of so deep a dye that, while he had opposed the Revolution with all his energy, he

[1] Macaulay, "History of England," Vol. I. p. 405.

yet maintained that though he could not make a king, on his principles he could obey him better than those who were so set on making him, was appointed Second Secretary of State. To the Trimmer Halifax was given the Privy Seal. Danby, a moderate Tory, was Lord President of the Council. Mordaunt, an extremely violent Whig, was created Earl of Monmouth, and appointed first commissioner of the Treasury. The man who really did the work in the Treasury was Godolphin, — a man who had adhered to King James to the last. William was his own minister for foreign affairs.

There was certainly no lack of ability in this administration, but as Macaulay tells us: "One-half the ability was employed in counteracting the other half. . . . The ministers, instead of attending to the business of their offices, spent their time in getting up addresses and impeachments against each other, and thus every part of the administration was in a disorganized condition."[1]

To the enmity which existed between ministers must be added the enmity of the House of Commons to the ministers as a body. Burnet, writing the history of the year 1690, says: "In a House of Commons, every motion against a minister is apt to be well entertained. Some envy him. Others are angry at him. Many hope to share in the spoils of him or of his friends, who

[1] Macaulay, "History of England," Vol. III. p. 67.

fall with him. And a love of change and a wantonness of mind makes the attacking a minister a diversion to the rest." By the House of Commons the Cabinet was still looked upon as an instrument of despotism. When, in 1692, a resolution was introduced into the House sitting as a committee of the whole on advice to the King, to the effect that the King be asked for the future to employ men of known integrity and fidelity, Sir William Strickland said, "That cannot be while we have a Cabinet Council." Mr. Waller continued in the same tenor: "Cabinet Council is not a word to be found in our law books. We knew it not before. We took it for a nickname. Nothing can fall out more unhappily than to have a distinction made of the Cabinet Council and Privy Council. . . . If some of the Privy Council must be trusted and some not, to whom may any gentleman apply? Must he ask 'Who is a Cabinet councillor?' This creates mistrust in the people. I am sure these distinctions of some being more trusted than others give great dissatisfaction." The only argument that could be urged in favor of the new system was that it was convenient; but liberty was a great price to pay for convenience. "If you think it convenient," said Mr. Goodwin Wharton, "I shall be of your mind; but I think this method is not for the service of the Nation."[1]

[1] "Parliamentary History," Vol. V. col. 733 *et seq.*

In the course of this same debate, Mr. Goodwin Wharton, describing the method of procedure, said, "Things are concerted at the Cabinet and then brought to the Council: such a thing resolved in the Cabinet, and brought and put upon them for their assent, without showing any of the reasons." This statement is interesting as showing that the Council was now almost fully shorn of its deliberative function.

In this period we have two rather notable instances of ministers quitting office. The first is the resignation of Halifax in October, 1689. Owing partly to circumstances which he was unable to control, and partly to faults in himself, he had not been a very successful minister. The Commons had attacked him in the previous session for culpable mismanagement of affairs in Ireland. He had been acquitted, but by a very small majority, and it was probable that the attack would be renewed. It was not forgotten either that he had been in the cabinets of Charles and James at times of especially arbitrary rule. Although he had made use of his position to oppose despotic measures, we have seen that the tendency to hold each minister responsible for what was done by the administration as a whole was gaining ground. Perceiving that he had lost the favor of the Commons, he resigned without waiting for an impeachment or even an address to the King, asking for his removal. This is more akin to a modern

ministerial resignation than was customary at that time.

The case of Shrewsbury in 1690 is still more in point. Burnet says, "The Earl of Shrewsbury was among those who pressed the abjuration[1] most, and when it was rejected, he thought that he could not serve the King longer with reputation or success; he saw that the Whigs, by using the King ill, were driving him to the Tories, and he thought that these could serve the King with more zeal if he left his post."[2] Here we have a foreshadowing of three of the principles upon which modern Cabinet government rests. First, when the advice of a minister is not taken, it is the duty of that minister to resign his office. Second, when it is manifestly impossible for one party to carry on the government, the other party must be brought into power. Third, there must be unanimity in the Cabinet.

With the ministers at war with each other, and Parlia-

[1] A bill brought in by the Whigs requiring that not only allegiance be sworn to King William, but that an oath of abjuration to King James be taken.

[2] We know now that Shrewsbury had another reason for resigning. He was in correspondence with King James, and therefore his conscience would not allow him to serve under King William. But the mere fact of his having made the statement that his resignation was due to his failure to carry his measure, is an indication of the change that was taking place in opinion as to the obligations of a minister. So far as our purpose is concerned, the truth or falsity of the statement is immaterial.

ment unorganized and leaderless at war with the ministers, the business of government was almost at a standstill. The early part of William's reign is very barren in Parliamentary results. To vary John Stuart Mill's famous remark a little, the Parliamentary records of the time go far to demonstrate the fact that a large body is unfit to do business, but that its proper function is to get business done. The problem was to discover the method of getting business done. This problem pressed for solution as never before. For it was now fully acknowledged that the King could obtain supplies only through the Commons. The Commons, by a refusal to grant the revenue for life, had made annual sessions of Parliament necessary. By making their grants in the form of appropriations to specific objects, they had practically gained control of the whole administration. Moreover, foreign affairs were demanding prompt, energetic, and steady action. In 1693 William had reason to believe that if only he could push the war with France vigorously, the object for which he lived might be attained. But he could carry out his plans only as he was permitted to do so by Parliament, and as Macaulay puts it, no one could calculate one day what the House of Commons might do the next.

At this juncture, Sunderland suggested a way out of the difficulty. He pointed out to the King that the best way of securing Parliamentary support was to intrust the

important offices to Parliamentary leaders; that the ministers, instead of devoting their energies to struggling against Parliament, might work with Parliament for the same objects. The hostility between executive and legislative would thus be completely overcome, for Parliament would regard the ministers as their leaders and best friends. As we have seen, for about a century and a half, ministers had had seats in both Houses of Parliament. What was new in Sunderland's suggestion was that possession of such seats by the ministers should be considered an absolute necessity (which was not quite the case in 1693), and not only that, but that ministers should be chosen from among acknowledged Parliamentary leaders, thus controlling Parliament on the one hand, and being controlled by it on the other.

Sunderland further advised that, in the present critical state of affairs, the ministers be chosen entirely from one party. For several reasons, he thought that the Whig party should be preferred. They had, at that time, a majority in both Houses of Parliament, although their majority in the House of Commons was not a large one. Indeed, the last elections had given the Tories the preponderance, but since then the Whigs had been gaining ground. They had the additional advantage of being under the leadership of four able men, — Somers, Russell, Wharton, and Montague, — who worked together with a harmony scarcely known among English statesmen before.

The Tories were a wholly disorganized body, with no acknowledged leaders in the Commons. But the great argument in favor of trusting the Whigs just then was that they were more attached to William personally than were the Tories, and they were prepared to support his war policy.

To the suggestion that the ministers be chosen from among the Parliamentary leaders, the King readily assented. It became a precedent for all time. To the suggestion that they be chosen exclusively from one party, he assented reluctantly and temporarily to meet special exigencies. He probably saw that to put all power into the hands of a party was to abandon personal rule on the part of the sovereign. And William was as fond of personal rule as any of his predecessors had been. Moreover, while the Whigs liked him better than the Tories did, he had no more affection for them than he had for their rivals. If the Tories were the enemies of his title, the Whigs were the enemies of his prerogative. He told Sunderland that while the Whigs loved him best, they did not love monarchy; that though the Tories did not love him so well as the Whigs, yet as they were zealous for monarchy, he thought that they would serve his government best. To which the earl replied that it was very true that the Tories were better friends to monarchy than the Whigs were; but his Majesty must remember that he was not their monarch.[1]

[1] Burnet, Vol. IV. p. 5. Shrewsbury had written to the King in the

In the carrying out of their plan, it never occurred to the King or to Sunderland that the Tory ministers then in office might be turned out in a body, and their places filled by Whigs. No one was dismissed except as some cause for dissatisfaction was alleged, and in almost every instance the dismissal was looked upon as a disgrace. It took therefore almost three years to fill all the principal offices with Whigs. But by the close of 1695 the Whig party was in power in a sense in which no party had ever been in power before.

Macaulay speaks of this Whig government as the first of modern ministries, and dates Cabinet government in England from the elections of 1695. It was in reality but a very early stage in that system of government. For the King was still the real head of the administration. This was still the essential difference between this Cabinet and the Cabinet of to-day, and the cause of all the other differences.

The King being the real head of the government, there was still no Prime Minister. Indeed it was not

same strain. "Your Majesty and the government are much more safe depending upon the Whigs, whose designs, if any, against you, are much more improbable and remoter than the Tories. Though I agree them (the Tories) to be the properest instrument to carry the prerogative high, yet I fear they have so unreasonable a veneration for monarchy as not altogether to approve the foundation that yours is built upon." — Cox, "Shrewsbury Correspondence," p. 15.

so easy to say who was first minister in 1695 as it had been on some previous occasions. For there had been administrations in which the leadership of one man was so evident that it is customary to speak of the government of Clarendon and the government of Danby. Even in the early part of the reign of William it was a little easier to say who was at the head of the administration than it was later. On the whole, we have during the first year of the reign the government of Halifax, which was succeeded by that of Caermarthen, although these ministers did not tower quite so much above their colleagues as did some of their predecessors. But it is difficult to find any head of Macaulay's first Cabinet. We commonly speak of it as the Government of the Junto, the Junto consisting of Somers, Montague, Russell, and Wharton. And it is not incorrect to speak of it in this way, for it was the Junto who controlled the Whig party, and thus brought about the great measures of the administration. But in the Junto there was no acknowledged leader, though perhaps a slight preëminence may be assigned to Somers. And one of its members, Thomas Wharton, was not even included among the ministers.

Moreover, if the Junto controlled the party for the King, there were others who helped to control the King for the party. There were several men, each one of whom had some claim to be considered the principal

adviser of William during the period of the Junto rule, and two of them were not included in that famous body. First we have the Earl of Sunderland. There is no doubt that at this time the King put more confidence in his judgment than in that of any other English statesman, and consulted him freely. Yet his office was only that of Lord Chamberlain, and this he held but a year. The best hated man in the nation, it was always necessary to keep him in the background. While he directed the plans of the King and counselled the Whig leaders in the interests of the Whig party, he could never have dreamed of gaining the position of a leader of that party. Then there was the Duke of Shrewsbury, who might have had the King's confidence as well as his affection to the full, and who undoubtedly would have been an acceptable party leader, but whose poor health, combined with a troubled conscience,[1] forbade him to take the prominent part he might have taken.

As there was no Prime Minister, Cabinet appointments were of course in the hands of the King. He would delegate this authority neither to any member of the Cabinet, nor to the Cabinet as a whole. When the ministers insisted that Wharton must be Secretary of State, William replied that he would like to reserve to himself the right of appointing his own servants; that if they had presented three candidates to him to

[1] See p. 74, note 2.

choose from, he might have considered it, but that he could not allow them to make the appointment.[1] Nor was he satisfied with appointing to Cabinet positions. We find the ministers frequently complaining that appointments had been made in their departments without their knowledge.

Like his predecessors, William III. presided at Cabinet meetings, although owing to the fact that he was out of England so much, there were frequent meetings of the Cabinet without him. We have also to note that during the administration of the Junto there were informal meetings of the Whig ministers and leaders apart from the King. Like his predecessors also, William did not consider himself bound to bring all matters of importance to the Cabinet meetings for discussion. The correspondence of the Junto abounds with complaints that the King was usurping the functions of particular ministers, and of the Cabinet as a whole. Sunderland, writing of the Cabinet, said, "It would be much to the King's advantage if he brought his affairs to be debated at that Council."[2]

[1] It is interesting to notice that Sunderland resigned his position as Lord Chamberlain because of the wrath of the Whig ministers at the appointment of Vernon as Secretary of State, on his advice, without consultation with them. The dissatisfaction of the Whigs arose not from the fact that Vernon was appointed, but from the fact that Wharton was not appointed.

[2] Hardwicke State Papers, Vol. II. p. 461.

Throughout his reign William remained his own minister for foreign affairs. Matters connected with his own department were much more frequently kept from the Cabinet than were other matters. He and Portland arranged all the preliminaries of the First Partition Treaty without consulting any Englishman. Then Somers, as Lord Chancellor, and Vernon, as Secretary of State, were taken into the secret. Somers was empowered to confer with any colleagues whose advice might be considered desirable. Several of the ministers were summoned to a consultation on the subject. Portland communicated the treaty to them. Objections were made to parts of it, "but Lord Portland's constant answer was that nothing could be altered; upon which one of the company (whose name is not mentioned) said that if that were the case, he saw no reason why they were troubled with it."[1] It was finally decided to draw up a paper which was sent to the King. In this paper the ministers merely acknowledged their master's superior wisdom in all foreign affairs, called attention to the fact that the temper of the House of Commons was not so favorable as that of the former House had been, and therefore it would probably not be possible to make war. They added that they understood that the desired peace could not be maintained without concessions to France; but whether

[1] Burnet, Vol. IV. p. 427. Hardwicke's note.

the concessions of the treaty of Loo were too great or too small, they would leave to his Majesty's judgment. Later, we find the disaffected House of Commons making great efforts to punish ministers who had become offensive to it for their share in this treaty; but it could not prove that any one except Somers and Portland could be held in any way responsible. Somers pleaded that he had affixed the seal under the authority of a sign manual warrant, countersigned by the Secretary of State; that while he had offered an opinion about the treaty, he was not responsible for it; and, in short, that he had obeyed the King. Evidently the doctrine of ministerial responsibility had not advanced very far when a chancellor could make such a plea as this.

Owing to the fact that throughout this reign there was considerable doubt as to who was in the Cabinet, it was the easier for the King to transact business of state without consulting particular ministers. In the debate in the House of Commons in 1692 before quoted, we have noticed that attention was called to the difficulty of ascertaining who was a Cabinet councillor. That this defect was not remedied in 1695, is proved by a letter written by Sunderland to Somers in November, 1701. In this letter Sunderland expresses the desire to see the Cabinet limited in numbers and regularly consulted, "none to be of the Cabinet but those who have in some sort a right to enter there by their

employments." He gives a list of those who, in his opinion, should be considered as having a right to be present at Cabinet meetings. It includes the Archbishop of Canterbury, the Lord Keeper, the Lord President, the Lord Privy Seal, the Lord Steward, the Lord Chamberlain, the First Lord of the Treasury, and the two Secretaries. Also the Lord Lieutenant of Ireland was to be invited, when he was in England. "If the King would have more, it should be the First Commissioner of the Admiralty and the Master-General of the Ordinance. If these two are excluded, none can take it ill that he is not admitted."[1]

There is no evidence that any attempt was made to carry out Sunderland's suggestion. The King did not wish that the Cabinet should be too sharply defined a body. Even when officials were fully acknowledged to be Cabinet ministers, he reserved to himself the right of consulting or not consulting them as he pleased. Sometimes he would call together the whole body of ministers, except the one or two whom he did not wish to see. He would excuse himself for not inviting these on the ground that it was not a Cabinet Council. Thus, he had promised Lord Normanby that he should be summoned to Cabinet meetings. But when he went abroad in 1694, he left instructions that there should be no meetings of the Cabinet until his

[1] Hardwicke State Papers, Vol. II. p. 461.

return, but that "Lords should be summoned, sometimes one, sometimes another, as they should be judged most proper for the business they were to advise about." When a meeting was held of the Lord Keeper, the Lord Privy Seal, the two Secretaries, Portland and Sidney, Normanby complained that he was left out. The King answered that there was a distinction "between Cabinet meetings and meetings of great officers of state, summoned to consult on some secret and important affairs."[1] There were, during this reign, ministers who were systematically not consulted. When Sidney was made Secretary of State in 1691, Caermarthen remarked that he had been put in like a footman in a box at a theatre, only to keep the place until his betters came to claim it.[2] Macaulay says that when Trenchard was Secretary of State in 1693, his functions resembled those of a police officer, rather than those of a Cabinet minister.[3]

As an offset to the King's failure to consult his Cabinet must be placed the reluctance of the Cabinet to give advice on some occasions when it was consulted. Thus, when, in 1694, the question was submitted to it as to whether the fleet should remain in the Mediterranean, Shrewsbury tells us that the minis-

[1] Cox, "Shrewsbury Correspondence," pp. 34, 38.

[2] Macaulay, "History of England," Vol. IV. p. 105.

[3] *Ibid.*, p. 439.

ters were "unanimous in no one thing so much as in resolving to give no judgment."[1]

The fact that the members of the Junto were bound together by ties both of politics and of friendship produced a unanimity in the administration such as had not before been attained. But this was temporary and almost accidental. That the principle of the solidarity of the Cabinet had not advanced much farther than under previous administrations, was made evident by the proceedings in connection with the Partition Treaty. The House of Commons did not attempt to hold the ministers as a body responsible for that treaty, merely because it had been negotiated while they were in power. The effort was to prove the responsibility of individual ministers.

As has been indicated, the one step that had been taken in advance was in the acknowledgment of the principle that the ministers should be chosen from among the Parliamentary leaders of the time, and therefore in some sense responsible to Parliament. But it was by no means perceived at the time that this change must ultimately mean the absorption by Parliament of all the functions of government. Thus, when a clause was introduced into the oath of abjuration to maintain the government by King, Lords, and Commons, Burnet, true Whig though he was, was shocked. He declared that

[1] Cox, "Shrewsbury Correspondence," p. 67.

this was a barefaced republican notion, for the Lords and Commons, while a part of the Constitution, and the legislative body were no part of the government. And while it was acknowledged that the minister must be in some sense a Parliamentary leader, the personal judgments and inclinations of the sovereign still all but determined his appointment. Previous to 1695 the prevailing idea had been that the minister was appointed by and therefore served the King alone. From that time for more than a century the understanding was that, being in some sense appointed by both King and Parliament, he was somehow to manage to serve both. In the frantic endeavor to serve two masters, many ministers and many ministries came to grief. This very Junto ministry, in the matter of the standing army, tried to effect a compromise between the wishes of the King and those of Parliament, and so to a certain extent lost the favor of both.

While it was deemed better that the ministers at the time of appointment should be able to command a majority in the House of Commons, they were under no necessity of resigning when they were no longer able to do so. We see this exemplified in the case of the Cabinet that we are studying. The elections of 1698 showed a decided change in the attitude of the country toward the government. The ministers were no longer able to control the Lower House. We find Onslow

writing, "Mr. Montague (for what reason I know not) did not exert himself for two seasons together in the Commons, and suffered Harley and his friends to take the lead even while continuing in the King's service."[1] But when we find Vernon writing to Shrewsbury that *the ministers have had a division of which they need not be ashamed, one hundred and thirty-two for the government against two hundred and twenty-one for the opposition*, we are not surprised that Montague let Harley and his friends take the lead. There was no question of allowing it. He could not have done otherwise. Yet the ministers did not resign. It is possible that for a short time they were justified in not doing so. For while they were certainly in the minority, it was doubtful whether any set of men could command a working majority. But soon the disaffection spread. Yet the Junto waited for impeachments, for addresses to the King asking for their removal, and even then did not give up their offices until William, being no longer able to stand the pressure brought to bear upon him, and in some instances feeling himself considerably aggrieved by them, dismissed them, not, however, in a body, but one by one.

Perhaps we can understand a little better why ministers as clear-sighted as Somers and Montague did not recognize the necessity of quitting office when they could

[1] Burnet, Vol. IV. p. 441, note.

no longer control the Lower House, when we remember that that House was still the Lower House in fact as well as in name. An able commoner looked forward not so much to leading his own house as to being elevated to the House of Lords.[1] And the House of Lords, which for two generations after the Revolution was almost steadily Whig, continued to support the Junto after the Commons had made their displeasure very evident.

Remembering that Cabinet government is essentially party government, we notice as one more link in our story, that during the period of the Junto rule the Whigs instituted and maintained a discipline in their ranks not before known. The Whig members of Parliament made a practice of assembling to consider important matters whenever the occasion seemed to require it. Some of these meetings were very large, others more select. They formed the basis of a system of party organization never before known, but since adopted and maintained by every party, and even every considerable section of a party.

When it became evident that the Junto could not hold office much longer, Somers wrote to Shrewsbury that the new ministry would probably be a "pieced business." This, he said, would be necessitated by the King's "prej-

[1] See article by Professor Thorold Rogers on the "House of Lords" in the *North American Review*, Vol. 131.

udice to some, and fondness to others, and the impossibility of finding a set of Tories who would unite."[1] And a pieced business the new ministry was. This was partly due, as Somers had foreseen, to the fact that, owing to the lack of discipline in the Tory ranks, it was impossible to find a set of Tories capable of working together. But it was also due in great measure to William himself, and perhaps to something more in him than "his prejudice to some and his fondness for others." As has been said before, he did not really believe in putting the government into the hands of a party, and did not mean to do so, unless he were forced.

After three years of a weak, hybrid administration, we find Sunderland coming to the front with his common-sense advice again. The offices, he said, must all be in the hands of one party, and the Whigs were again in a position to urge that they be the preferred party. For the discredited Junto, as soon as they left the ministry, and became leaders of the opposition, regained in great measure the power which they had lost by insisting upon holding a position after their ability to fill it acceptably had gone. Still William hesitated to bring them again into office, giving the curious reason that if he appointed a Whig ministry, and they disappointed him, there would be no one else to whom he could turn; whereas there was a slight chance of the Tories being able and willing

[1] Hardwicke State Papers, Vol. II. p. 35.

to manage things in a desirable manner, and if they failed, he would still have the Whigs to fall back upon. At last, however, he came to the conclusion that Somers and Sunderland were in the right, and having promised Somers that he would never trust the Tories again, he began to form a Whig administration. Before his plans were completed, he died.

It remains to notice two attempts of a retrograde nature that were made during this reign. The first is to be found in the place bills that were introduced into Parliament. It was some time before Parliament recognized the advantage to itself of having ministers chosen from among its own members. The Commons felt that in the days when the ministers served the King alone, their presence in the House of Commons had not been promotive of liberty. They did not realize that times were changed; that the ministers, who were now recognizing a responsibility to both Crown and Parliament, would soon be responsible to Parliament alone. Therefore we find quite a strenuous effort made to exclude all placemen from the Lower House. During the reign of William, three place bills were brought forward in Parliament. One of these was thrown out by the Lords. One after being greatly amended was vetoed by the King. The third did not pass the Commons. Not discouraged by these failures, a clause excluding placemen from the Commons was included in the Act of Settle-

ment. This never went into effect, being repealed during the reign of Anne.

Such a place bill, if enforced, would have established an opposition between the executive and legislative, just at a time when it was becoming easier to bring about more harmony between them. Had it gone into effect, the probability is that a large proportion of the ministers would have sat in the Upper House, but perhaps would not have been considered as leaders of that House any more than in former times. And there probably would always have been some ministers without any connection with either House. Both executive and legislative would have been weakened, but undoubtedly the legislative would have suffered most. For the King, supported by his ministers, that is, by the trained statesmanship of the nation, would have been at a great advantage as compared with a Parliament without leadership and without organization.

There was a real disease in connection with the presence of office-holders in the Commons, although its nature was not at that time fully understood. For while the passing of place bills which excluded ministers from the Lower House must have had the most disastrous effect upon English constitutional liberty, it is manifest that the retaining of a vast number of inferior officers in that house was almost as serious a menace to the liberties of the subject. The fact that they held their positions

and drew their salaries through the favor of the Crown, naturally attached them to the court interests; and it is easy to conceive that a despotic sovereign might have worked his will through a House of Commons packed with pensioners and placemen. The giving places and pensions to members of Parliament was the worst kind of bribery, for as a statesman of the reign of George II. remarked, "A bribe is given for a particular job; a pension is a constant, continual bribe."[1] Indeed, through the presence of numerous inferior officers in the Commons, the very good which was accomplished by having ministers in that House might have been undone. For the ministers are the leaders of the majority of the house; but through patronage bestowed upon members, the court might always have commanded this majority, and thus always have secured ministers entirely in its interests. And as a matter of fact, during the hundred years following the Revolution, this was often done.

Yet, during the period that placemen sat in such numbers in the House of Commons, it must be admitted that they were, in a measure, useful in helping on the development that was taking place. For Cabinet government means strict party government, the adherence by the members of each party to their chosen leaders. In the time of William III. the spirit of faction predominated; leadership was a new thing in

[1] Halifax, "Parliamentary History," Vol. XI. col. 522.

the House. It was impossible to find a majority who would follow the lead of any one. Offices were therefore given as a mode of securing allegiance to the party chiefs, and ministers felt that they had a peculiar right to rely upon the support of office-holders in their party.

The other backward movement is to be found in an article of the Act of Settlement of 1700, which reads, "From and after the time that the further limitations by this act shall take effect, all matters and things relating to the well-governing of this kingdom which are properly cognizable in the Privy Council by the laws and customs of this realm, shall be transacted there, and all resolutions thereupon shall be signed by such of the Privy Council as shall advise and consent to the same." This would have meant the revival of the Privy Council, the absolute annihilation of the Cabinet, and the prevention of anything like solidarity in the administration. This, too, was never carried out. It was repealed in 1705 with the article excluding placemen. By that time the country was somewhat accustomed to Cabinet government — appreciated its convenience, and realized to some extent at least that the dependence of ministers upon Parliament was a better safeguard against tyranny than even government by Privy Council, with each councillor signing what he had advised. As for this latter provision, Burnet says that

it was evident that no one could be found to take office upon such a condition.

Among the Somers Tracts there is one bearing the title "A Vindication of the Rights of the Commons of England." It is dated 1701, and has been attributed by some to Sir Humphrey Mackworth, by others to Robert Harley. The author, whoever he may have been, gives us a picture of the Constitution of England under William III. as it appeared to the ablest statesmen of the day. Just as the originators of the American Constitution thought its system of checks and balances its best feature, so this writer thinks the checks and balances of the English Constitution the feature which entitles it to special admiration. He writes with evident pride and approval: "For the supreme power is not lodged in one, lest he be arbitrary; nor in two, lest they should fall out, and there should be none to interpose between them. But such is the happy Constitution of this government, that it consisting of three distinct branches of the supreme authority, who are mutual securities and checks upon one another for the common safety, if a misunderstanding happen between any two, there is still one left whose interest it is to reconcile the difference. And if any one endeavor to advance their power beyond its just bounds and limits, there are always two against that one, to preserve the just bounds of the Constitution."

He fully appreciates the nature of the problem before England at the time, namely, to provide security against misgovernment on the part of the sovereign, and at the same time to avoid the general disturbance which must accompany any attempt to call the King personally to account. He therefore enunciates most clearly that the ministers, and not the King, are to be held responsible for any mismanagement. "In all monarchical governments," he says, "it is absolutely necessary for the common good to preserve a right understanding between the King and the people. Therefore it is necessary that in all such governments, whatever mismanagement happen, no blame or wrong be imputed to the King." But it is quite as necessary that no wrong be done to the people. "In order to preserve a right understanding between King and people," he goes on to say, "and that no mismanagement be imputed to the King, nor yet any wrong done to the people without a remedy, it is necessary that all public acts of government be performed by public officers; for if done by the King, and any mismanagement happens, either the people must lose their rights, or the blame be imputed to the King; neither of which ought to be admitted. Therefore these public officers ought to be accountable for all public acts done by them both to the King and to the people."

Furthermore, he wishes it to be understood that "the

exercising all public acts of government by public officers is no restraint upon the just prerogative of the King. First, because the King has the choice of them from time to time at his will and pleasure. Secondly, because the ministers are bound to obey the King in all lawful things."

He goes on to state just how the minister is to show that he feels the responsibility of his position. He says: "It is not only the duty but the interest of every minister, for his own safety, to inform his Majesty of the legality of all proceedings. By words, by an humble declaration of the sense of the law; and, if that will not prevail, then to convince his Majesty of his sincerity by his actions, that is, by a resignation of his office. All good princes will be convinced by this rational, honorable, and self-denying argument, and will rather commend the fidelity of the minister than be offended with him. But if it should happen hereafter, in a future reign, that the prince will not be advised, but shall accept the resignation of his officer, that minister will have the satisfaction of suffering in a good cause, for the safety of the country, and gain very great honor to himself and his family. And the people of England will have the same securities to their rights and liberties they had before. For if the succeeding minister betray his trust, he must expect to answer first in the House of Peers, on the impeach-

ment of the Commons. And if he also, in humble manner, desire to be excused from executing the same unlawful commands, to the ruin or prejudice of his people, the King (who cannot exercise public act of government but by his ministers) will at last observe the necessity of yielding to the law of the land. The exercising therefore all acts of government by public ministers is so far from being a prejudice that it is a great advantage and security both to the King and to his people. To the King, because no mismanagement can be imputed to him, but to his ministers. To the people, because they may have redress from their grievances without any misunderstanding with the prince. By this means the King may always reign in the heart of his subjects, and the subjects always preserve their rights without offence to the King." Evidently public opinion had changed somewhat since the days when Clarendon and Halifax made animadversions on the King who delegated too much of his authority to ministers.

It will be noticed that the way in which a minister is to be called to account is still always impeachment. Over and over again this writer insists upon the right of the Commons to impeach an unworthy public servant. Over and over again he declares that the King has no right to interfere in such a case. The Commons believed that their liberties rested mainly upon this power

of impeachment. One of the provisions of the Act of Settlement was that "no pardon under the Great Seal of England be pleaded to an impeachment by the Commons of England."

Thus no future minister was even to suppose that it would be an argument in his favor to plead the King's pardon, as Danby had done. It was some time before it was understood that the same purpose might be accomplished by easier and gentler means than impeachment, and that impeachment is too dangerous a weapon to be used when the desired object can be effected without it.

Like other statesmen of his age, the author of this tract by no means approves of the doing away with the deliberative functions of the Privy Council. He writes: "First there are great officers of state to observe and watch, that nothing pass to the prejudice of the King and of the people. Secondly, if a matter be too high for their determination, it is considered by the King and his Council, where the matter is not only determined by a greater number, but also upon a solemn debate and hearing of the arguments of all parties, which may be compared to a consultation of able lawyers and physicians, conducing very much to the safety of the public. But if the matter be of such weight or difficulty that the Council do not think fit to determine by themselves, or cannot come to a safe resolution, then they humbly

advise the King to refer that affair to his great Council assembled in Parliament. And here it may be observed that an error has formerly crept into this part of our Constitution, and that is, by determining matters of the highest importance, without advising with either of the established councils. The original of which in the late reign seems to have derived from the precedent of France, *where it was first invented as an introduction to an arbitrary government;* and 'tis to be doubted that they were no true friends to the Constitution of this government who first brought that evil custom into England. . . . 'Tis true former princes did sometimes advise with particular persons before they offered a matter to the Council to be debated and determined; but it is an innovation by evil ministers that war and peace should be finally concluded in a secret cabal, and only pass through the Privy Council for form's sake, as a conduit pipe to convey those resolutions with authority to the people, which is an abuse to the Constitution. All proclamations for declaring war, etc., are constantly set forth in the name of the King, with the advice of his Council (*which shows that it ought to be so*), when perhaps the war was resolved in a private cabal, and only declared in a Privy Council, and published with that authority to the people, which is an abuse to the Constitution. . . . It is therefore a noble resolution in his Majesty to restore to England the

practice of their ancient Constitution, to repair the breaches and innovations brought in upon them during the late reigns, and not only to *declare*, but *debate* and *transact* all matters of state in the Privy Council."

CHAPTER V

POSITION OF THE CABINET UNDER ANNE

Further Cabinet development impossible until doctrine of royal impersonality was established — William III. followed by a succession of three weak sovereigns — Yet Anne desirous of maintaining her personal rule — More anxious to appoint ministers than to control Parliament — Appoints a Tory ministry at the beginning of her reign — A Whig ministry is gradually forced upon her — Appointment of Somers — Harley forced out of the Cabinet — Anne's last ministry appointed by herself — Dismissal of Godolphin — The Queen insists on retaining the Duchess of Sunderland in her service — Dismissal of Oxford — The Queen tries to control minor appointments — Foreign envoys obtain private audiences of her — She is responsible for the restraining orders — And for the proclamation against the Pretender — Oxford throws responsibility of his action on Queen — Statement of ministerial responsibility in House of Lords — Anne the last sovereign to use the veto — The word Cabinet used in address of House of Lords to Queen — Debate on the Cabinet in the House of Lords — Ratification of the peace of Utrecht by the Council — Revival of Council at death of Anne — Members of House of Commons on taking office required to submit themselves for reëlection — Creation of twelve new peers in 1711 — Influence of Parliament upon appointments — Ministers some-

times fail to take the position of Parliamentary leaders — Occasional Conformity Bill — Act of Union — Schism Act — Development of office of Prime Minister — Cabinet meetings — Uncertainty as to who had a right to attend — Important affairs often not discussed in Cabinet meetings — Harley's dinners — Throughout the reign of Anne hybrid administrations — This partly accidental — And partly of set purpose — Development of party organization — Summary of progress during the reign.

WHEN Anne came to the throne, it had been practically settled, although there were still some protests against it, that the work and responsibility of carrying on the government were to belong no longer to the Privy Council as a whole, but to a small committee appointed from its members, and that this committee was to be chosen with considerable reference to its ability to command Parliamentary support. Further progress in Cabinet development, — the full establishment of the doctrine that the minister is responsible to Parliament and not to the Crown, — the evolution of the office of Prime Minister, and the development of the principle of the solidarity of the Cabinet, could only be accomplished as the theory of the royal impersonality was established. And the best thing that could have happened to England at the stage which we are considering did happen to her, — namely a succession of three weak sovereigns. During these reigns, as Mr. Hallam puts it, "the Crown desists altogether not merely from the threaten-

ing and objurgatory tone of the Stuarts, but from that dissatisfaction sometimes apparent in the language of William, and the vessel seems riding in smooth waters, moved by other impulses, and liable perhaps to other dangers than those of the ocean wave and the tempest." Yet William's immediate successor was by no means inclined to surrender her personal rule to the ministers. In addition to her natural temperament, Anne's religious feelings gave her a sense of personal responsibility. Her spiritual adviser, Archbishop Sharp, strengthened this sentiment in her. He assured her that she should look upon the government of England as a sacred trust, the responsibility for which could not be transferred. The fiction of ministerial responsibility might protect her from punishment in this world, but before the throne of God she would be held accountable. She was especially reprehensible, he told her, when she took into her service men whom she disliked, or whose measures she disapproved. In arguing with her on this point, his son tells us that he used "many hard words," accompanied by prayer that God would inspire her with courage, to assert the authority committed to her.[1]

So, while Anne did not, like her predecessor, treat Parliament as a subordinate to be sharply reproved when it gave occasion for reproof, she still looked upon the

[1] "Life of Archbishop Sharp," by his son, Thomas Sharp, Vol. I. pp. 318–319.

ministers as personal servants whom she might appoint and dismiss, and whose action, while in office, she might control at pleasure. It was quite in accordance with her character to be comparatively indifferent to what Parliament was doing, and at the same time to be very anxious to appoint her own ministers. For, as is well known, her mind was weak, and her affections were strong. She could look upon nothing save in a personal way. Forced to come into constant contact with the Cabinet, she naturally wished to admit to its membership none but her personal friends.

As in those days administrations were not changed all at once, but piecemeal, it is a little difficult to say how many there were in any reign, yet under Anne three ministries are tolerably distinct. In the appointment of each of these we see the royal preference playing a prominent part. Anne appointed the first and third to please herself, though she would not have been able to do so had there been strong opposition on the part of Parliament. The second was not a ministry which she would have chosen, and therefore it did not come into office so soon as public affairs seemed to require it, but only after a long battle with the Queen.

Anne's affection for the Church and for certain persons made her a Tory. Therefore the ministers appointed at the beginning of her reign were Tories, although some Whigs already in office were not turned

out.[1] But as the Tories were divided among themselves, and as most of them were unwilling to support Marlborough's war policy, it was soon evident that alterations must be made in the Cabinet. By degrees, the leaders, Marlborough and Godolphin, were converted to the Whig party, and a Whig ministry was formed. But the changes were so gradual that it is impossible to say just when the Tory Marlborough-Godolphin ministry ended, and the Whig Marlborough-Godolphin ministry began. The latter was not completely formed until 1708, when Robert Harley, the last Tory, resigned; but it had been in process of formation for several years previous to that, and the Whig influence certainly predominated long before Harley left the Cabinet.

[1] Appointments at the beginning of Anne's reign: —

Marlborough	General of the Land Forces, Master General of Ordonnance.
Godolphin	Lord Treasurer.
Nottingham and Sir Charles Hedges . . .	Secretaries of State.
Normanby	Lord Privy Seal.
Devonshire (Whig) . . .	Retained as Lord Steward.

A little later: —

Buckingham	
Pembroke	Lord President.
Harcourt	Solicitor General.
Sir Edward Seymour . .	Comptroller of Household.
Sir John Leveson Gower .	Chancellor of Duchy of Lancaster.
Howe	Joint Paymaster.

The ministry was changed without any change of feeling on the part of the Queen. The Whigs were still under the leadership of the able Junto, all of whose members had by this time been raised to the peerage, Montague as Earl of Halifax,[1] and Russell as Earl of Orford. An addition had been made to their number in the person of the Earl of Sunderland, a son of the Sunderland of William's reign, and one of the most violent Whigs of the day. They forced themselves into office, in spite of the most strenuous opposition of the Queen. Hitherto, Parliamentary leaders had compelled the sovereign to dismiss ministers. But this Whig ministry of Anne is the first example, in modern times, of the Crown being compelled to appoint a ministry against its will.

The struggle which preceded the appointment of Somers as Lord President of the Council is an example of the way in which the Queen's personal inclinations had to be overcome. When the Whig leaders first made their demand, Anne was much distressed by it; especially so because the granting it would pain her husband, who regarded Somers as the author of the attacks which the Whigs had made upon the Admiralty, of which he

[1] George Savile, the Marquis of Halifax, previously alluded to in this work, died in 1695, and his family in the male line had become extinct. As he had introduced Montague to public business, Montague chose to take his title.

was at the head. She therefore answered that Pembroke, who held the position at the time, could not be removed. The Whigs next urged, "If it is impossible to make Lord Somers president, give him a seat in the Cabinet without office." Anne refused. She wrote to Marlborough that she looked upon it as utter destruction to herself to bring Somers into her service. Still the Whigs persisted in their object, joining at times even with their worst enemies that they might defeat the court projects. They threatened that, if their wishes were not complied with, they would bring up the question of inviting some member of the House of Hanover to live in England. Finally, they intimated that they would bring a direct charge against Prince George by name, for the mismanagement of naval affairs. This touched the Queen in her tenderest point. Her husband was dying, and she would not have his last days troubled. She therefore sullenly yielded. In October, 1708, Somers became Lord President.

The Whigs were quite as anxious to get the Tory leaders, Harley and St. John, out of the Cabinet as they were to get Sunderland and Somers in. Here, too, they were obliged to meet the resistance of the Queen, who yielded only when she saw that it was impossible to carry on the government at all if she did not do so. We read of a Cabinet meeting on Sunday, February 8, 1708. In the morning Marlborough and

Godolphin had told the Queen that they could not attend the Cabinet, or take part as ministers, unless Harley were removed. She would make no promise to that effect. Therefore Marlborough and Godolphin absented themselves from the Cabinet meeting in the evening. Harley began to open the business. The whole Cabinet were grim and sullen. The Duke of Somerset muttered twice, "I do not see how we can deliberate to any purpose when neither the General nor the Treasurer is present." The Queen was silent, but presently withdrew, leaving the business of the day undone. On Wednesday of that week Harley resigned.

But it is needless to multiply instances. Every appointment or dismissal which took place while this famous Whig ministry was in process of formation was preceded by a similar struggle. That the Whigs were obliged to resort to so many arts to overcome the royal opposition, shows that Cabinet development had not gone very far. But the fact that the Queen was finally forced to yield to the wishes of the stronger party against her will, and that she did this without making any violent disturbance, proves that progress had been made.

It is hardly necessary to say that the turning out of this Whig ministry and the appointment of its successor was due, in great measure, to the personal feelings of Anne. Every one knows that the fate of Europe

was largely affected by the fact that the Queen of England was out of temper with one lady of her bedchamber, and very fond of another. True, Anne probably could not have carried her point, had not the changed temper of the nation, shown during and after the Sacheverell trial, released her from her fear of the Whigs. Yet the changes just at that time were due almost entirely to the Queen's likes and dislikes. Nor do they seem even to have been made with the purpose of forming a Tory ministry. The idea was merely to get rid of the Duchess of Marlborough and her intimate friends.

Anne's letter of dismissal to Godolphin at this time is an interesting evidence of the fact that she looked upon the members of the Cabinet as "her Majesty's servants," in a very literal sense. The letter is that of a mistress dismissing a personal servant for insolence, rather than that of a sovereign dismissing a minister of state. Godolphin had addressed the Queen in a petulant way, at a Cabinet meeting. She wrote to him, August 8, 1710, "The many unkind returns which I have received from you, and especially what you said to me personally before the Lords, make it impossible for me to continue you any longer in my service."

When, at the beginning of the new administration, the Tory ministers objected to the Duchess of Somerset as successor to the Duchess of Marlborough in many

of her positions, the Queen said that she did not see how she was better off than before, if she could not have what servants she pleased. This sounds like a prelude to the famous Bedchamber Question of the reign of Victoria.

In time, this last ministry of Anne divided into two factions, the one led by Robert Harley, created Earl of Oxford, the other by Henry St. John, created Viscount Bolingbroke. Each of the leaders made it his first object to secure the favorite, Lady Masham, and through her to secure the Queen. When Bolingbroke finally prevailed, and the Queen, in 1714, dismissed Oxford, she gave the following reasons for her action, — a peculiar mixture of state and personal reasons: "That he neglected all business; that he was very seldom to be understood; that when he did explain himself, she could not depend upon the truth of what he said; that he never came to her at the time she had appointed; that he often came drunk; lastly, to crown all, that he behaved himself to her with bad manners, indecency, and disrespect."[1]

The personal influence of the Crown did not stop with the appointment and dismissal of ministers. Unlike William, Anne had no definite policy which she wished to pursue. So she hardly held a controlling hand over her Cabinet, herself acting as its leader, and

[1] Erasmus Lewis to Swift, July 7, 1714.

very largely directing the action of the administration, yet many individual acts were brought about through her influence.

As has been said, she was more interested in men than in measures. Her interference with public affairs, therefore, most frequently took the form of insisting, not only upon appointing members of the Cabinet herself, but also upon making appointments outside the Cabinet without consulting her ministers. It was not so much that she wished to make the appointments as that she wished to be known to have made them. She had an almost childish desire that her ministers should acknowledge her as mistress. While her first ministry was in power, she wrote to Marlborough, "I think myself obliged to fill the Bishop's Bench with those that will be a credit to it and the State, and not always to take the advice of the 29."[1] Swift tells us that during her last Ministry, "when a person happened to be recommended to her as useful for her service, or proper to be obliged, perhaps, after long delay, she would consent; but if the Treasurer offered at the same time to her a warrant or other instrument already prepared in order to be signed, because he presumed to reckon on her consent beforehand, she would not; and thus the affair would sometimes lie for several months together, although the thing was ever so rea-

[1] Cipher for Whig Junto.

sonable, or even though the public suffered by the delay."[1]

While the Queen was more interested in making appointments than in insisting upon measures, there are instances in which her influence made itself felt in the latter way. She herself wrote despatches to generals and ministers abroad. When Buys, the Dutch Pensionary, came over to argue against the peace of Utrecht, he had a private audience with the Queen.[2] A similar interview was granted to Maffei in behalf of Savoy. No foreign envoy would now be allowed to address the sovereign personally on business of state. Hardwicke tells a story which would make the Queen alone responsible for the restraining orders, whereby the Duke of Ormond was forbidden to fight, pending the peace. He says: "Lord Bolingbroke assured a late great minister . . . that she herself proposed the famous restraining orders to the Duke of Ormond, which his lordship solemnly declared he had not been apprized of, and in the first emotion was going to have objected to them; but after the Queen had delivered her pleasure to the Lords, she made a sign with her fan at the mouth, which Lord Bolingbroke knew she never did but when she was determined upon a measure. He, therefore, unhappily for himself and for his country, acquiesced,

[1] Swift, "Last Four Years of Queen Anne."

[2] Bolingbroke Correspondence, October 23, 1711.

and insinuated, when he told the story, that the advice was supported solely by his rival, Lord Oxford."[1]

One of the Carte anecdotes in the Macpherson Papers would seem to imply that the Queen also took upon herself the full responsibility for the proclamation which was issued in 1714 for apprehending the Pretender in case he should be in England. Carte says: "Lord M——r said that the night the proclamation was ordered to be issued out against ——, he was summoned to the Cabinet Council at K——, and it being whispered that it was in order to such an affair, he, meeting Lord Oxford, asked him if it was. Lord Oxford said that he knew nothing about it — that he did not meddle in affairs (notice that this was while Oxford was still ostensibly Prime Minister), and that he would be against it, if proposed. Soon after he met Lord B. and asking him about it, and expressing his wonder that he should think of such a thing, after it had been so carried in the House of Lords, B. denied that he knew anything of it. Afterward they were called

[1] Hardwicke State Papers, II. 482. In a note to Burnet's History, Hardwicke represents Bolingbroke as telling the story in a slightly different way: that the orders were introduced by the Earl of Oxford, who had not previously consulted any of his colleagues on the subject; that the Queen, without allowing a debate, gave directions that the orders were to be sent, and broke up the Council. Bolingbroke himself mentions it in his "Letters on the Study of History."

into Council, where the Queen, giving no one time to speak, said that she had resolved on a proclamation which she caused to be read, and then without staying for, or asking anybody's advice, she went out; so that it was all her own act."[1]

When, in the first year of the reign of George I., Oxford was impeached for maladministration during his term of office, he threw the whole responsibility on the Queen. He said, "My Lords, if ministers of state, acting by the immediate command of their sovereign, are afterward to be made accountable for their proceedings, it may one day be the case of all the members of this august assembly."[2]

Yet, in spite of the fact that Anne was so anxious to be understood to rule as well as to reign, it was during her reign that the clearest statement of ministerial, as opposed to royal, responsibility that had hitherto been made, was made in Parliament. In 1711, Rochester said in the House of Lords: "For some years past, we have been told that the Queen is to answer for everything, but I hope that time is over. According to the fundamental constitution of the kingdom, the ministers are accountable for all. I hope nobody will, nay, nobody durst, name the Queen in this connection."[3] Rochester

[1] Macpherson Papers, Vol. II. p. 529.

[2] Stanhope, "History of England," Vol. I. p. 97.

[3] "Parliamentary History," Vol. VI. col. 972.

spoke in a moment of passion, and as he was the leader of the High Tories, it is hardly conceivable that he meant exactly what he said. But the very fact of his position makes his statement the more remarkable.

Anne was the last English sovereign to make use of the royal veto. It was used for the last time in 1706. There was no formal surrender of this prerogative of the Crown. It simply fell into disuse.[1] At the present time, for the sovereign to veto a bill would be a contradiction. For the Crown has delegated its authority to its ministers. When the ministers act, the Crown acts. The Crown then, as represented by the ministers, is responsible for the passing of the bill, and cannot logically veto it.

Turning from the relations of the Cabinet to the Crown, to its relations to the Council, we observe that the Cabinet was by this time distinctly recognized as something apart from the Council, and it was taken almost as a matter of course that it would take the place

[1] June 26, 1774, George III. wrote, "I hope the Crown will always be able in either House of Parliament to throw out a bill; but I shall never consent to use any expression which tends to establish that at no time the right of the Crown to dissent is to be used." Lord Brougham's Works, Vol. III. p. 85. In 1784 Charles James Fox said in the House of Commons, "The prerogative of the negative is a maxim which I have always admitted, always asserted, always defended. Who doubts it?" "Parliamentary History," Vol. XXIV. col. 367.

of that body. We have already noticed the repeal of the clause in the Act of Settlement which was intended to reinstate the Council in its former position. In 1711 the word Cabinet was introduced into the address of the Lords to the Queen. It was requested in this address that her Majesty would be pleased to give leave to any Lord or other of her Cabinet Council to communicate to the House any paper or letter relating to the affair of Spain.[1]

Still the word was looked upon with suspicion. There was a proposal about this time to pass a vote of censure, and the question arose as to whether the word Cabinet or Ministers should be used. The Earl of Scarsdale said that the word Ministers was better known than Cabinet Council. Lord Cowper declared that "ministers" or "ministry" would run into the same exception with Cabinet Council, — that both were terms of uncertain meaning. He went on to say: "The word Ministry is of doubtful signification, and the word Cabinet Council is unknown in our law. If this august assembly proceeds to censure men, the world ought to know who they are. I have the honor to be of the ministry, and do not know whether I am to be involved in the same censure." The witty Earl of Peterborough said that he thought the word Cabinet Council "not so proper as ministers. The Privy Councillors were such as were thought to know every-

[1] "Parliamentary History," Vol. VI. col. 969.

thing and knew nothing. Those of the Cabinet Council thought nobody knew anything but themselves, and the same distinction might in great measure hold as to the minister and the Cabinet Council; that the word Cabinet Council was indeed too copious, for they disposed of all. They fingered the money, they meddled with the war, and with things they did not understand; so that sometimes there was no minister in the Cabinet Council."[1]

The summary way in which the Privy Council was called upon to ratify the peace of Utrecht is quite in contrast with the very deliberate session that agreed to the sale of Dunkirk. "The Queen proposed to the Board the ratifying of the Treaties of Peace and Commerce, to which the Earl of Cholmondeley objected, saying, "The matter being of the highest importance, for her Majesty and for her kingdoms, as well as for all Europe, it required the maturest consideration; and these treaties containing several terms of the civil law in which the least equivocation might be of great consequence, and being besides concluded in Latin and French, it seemed very necessary to have them translated into the vulgar tongue." He was supported by another member,[2] but the time agreed upon for the exchange of

[1] "Parliamentary History," Vol. VI. cols. 970–972.

[2] Parker, the Lord Chief Justice. *Swift's Journal*, April 17, 1711.

ratification not admitting of delays, their opinion was overruled, and so the Queen ratified the treaty. The next day, the white staff, as Treasurer of the Household, was taken from the Earl of Cholmondeley.

We have, at the time of the death of Anne, a curious revival of the old powers of the Privy Council. The news of the Queen's condition had been received at a meeting of the Cabinet. The Jacobites, led by Bolingbroke, who had hoped, had she lived a little longer, to mature their plans for bringing in the Pretender, or at least for securing themselves in power, were disconcerted, but not altogether hopeless. Suddenly the doors were thrown open. The Whig noblemen, Argyle and Somerset, who were members of the Council, but not of the Cabinet, were announced. They said that, hearing of the danger of the Queen, they had come to offer their advice. The Jacobite leaders were too astonished to make any reply. Shrewsbury, who had doubtless been consulted before, rose and thanked them. They immediately proposed an examination of the physicians as to the Queen's condition. And they suggested that the Duke of Shrewsbury be recommended to the Queen for the position of Lord Treasurer, which Harley had recently vacated. The Bolingbroke faction was too much taken by surprise to offer any opposition. Accordingly a deputation, including Shrewsbury himself, waited upon the Queen, and laid the proposition before her.

Anne, who had been roused to partial consciousness, feebly acquiesced. She delivered the Treasurer's staff to Shrewsbury, and bade him use it for the good of her people. The duke would have returned his staff as Chamberlain, but she bade him keep them both. Thus for some days he held the three offices of Lord Treasurer, Lord Chamberlain, and Lord Lieutenant of Ireland.

Somerset and Argyle had also proposed, at the morning meeting of the Cabinet, that a special summons be sent to all members of the Privy Council in and near London. This too had been accepted. Many of the Whigs accordingly attended the Council that same afternoon. Among these was Somers. They proceeded to take measures to insure the legal order of succession.

Thus did the deliberative functions of the Council, which had been hibernating for so long a time, come to life again. There was nothing illegal about the proceeding, nor is there any legal reason why it should not happen again. But with a monarch in possession of his faculties it would be practically impossible. For the Crown possesses the power of striking out the names of any of the privy councillors from the list. Any councillor, therefore, who attended a meeting without being summoned would be instantly dismissed.

Having considered the two external relationships of the Cabinet which were decreasing in importance, namely, the relations with the Crown and with the

Council, let us consider the external relationship of the Cabinet which was constantly gaining in importance, that is, its relations with Parliament. As has been already noticed, during this reign the Commons became sufficiently alive to the advantages of having ministers in their House to repeal the clause in the Act of Settlement, forbidding their presence. But by a statute of 1706 members of the House of Commons, on taking office, submit themselves for reëlection.[1] Thus the office-holder is approved by his constituents, not only as a member of Parliament, but as an office-holder.

Under Anne, the House of Lords was still the more important branch of the legislature. But the creation of twelve new peers in 1711, in order to bring the Upper House into harmony with the Lower House, looked forward to a time when this would no longer be the

[1] We have seen that when Anne refused to make Somers Lord President, the Whigs asked that he be given a seat in the Cabinet without office. The chief objection to such an arrangement in the case of a member of the House of Commons is that a Cabinet minister without office does not come under this statute of 1706. The Queen refused to comply with the demand of the Whigs; but since then non-office-holders have been members of the Cabinet: Hardwicke in 1757, General Conway in 1770, Lord Camden in 1798, Lord Fitzwilliam in 1807, Mulgrave in 1820, the Duke of Wellington several times, the Marquis of Lansdowne and Lord John Russell in 1854, Mr. Gladstone in 1845–1846. Lord John Russell did submit himself for reëlection. He probably felt under special obligation to do so, in that he was leader of the House of Commons.

case. The expedient has never since been resorted to, but the Lords understand that only a limited amount of opposition to the will of the Commons is allowed.

During this period, the interdependence of ministers and Parliament became more a matter of course, although its exact nature was not as yet defined. Anne's first Cabinet — a Tory Cabinet — was appointed while William's last Parliament — a Whig Parliament — was still sitting. Nor, as we have seen, did these Tory ministers quit office, nor were other ministers appointed as soon as Parliament demanded. Yet the Whig Junto used Parliament as their principal means of forcing themselves upon the Queen. Their every measure was introduced with a view, not only to the effect that it might have upon the Queen as an individual, but also with a view to increasing their strength in Parliament, chiefly by sowing dissension among their opponents. Later, when Anne wished to get rid of the Marlboroughs, and consulted Harley upon the subject, he told her to ask Shrewsbury the following questions: "Would the public credit suffer by a change of administration? Could that measure be carried into effect without the dissolution of Parliament? Would that dissolution be attended with danger?" Not until Shrewsbury had given favorable replies to these questions, would the Queen make any change.[1] When, after the dismissal

[1] Coxe, "Walpole," Vol. I. p. 29.

of the Marlborough set, Harley discovered that, because of the unwillingness of the Whigs to take office, he could not form a mixed ministry, he dissolved the Whig Parliament. When there was a Tory House of Commons, a Tory ministry was appointed.

Still, the necessity for a change of ministers with a change of sentiment in the House of Commons was not clearly recognized as yet. Greatly to Swift's disgust, this same Harley ministry held office for some time after it had ceased to receive Parliamentary support. And, in 1713, Bolingbroke wrote that he had feared that the new House of Commons would be antagonistic to the government, *which the Queen was bound to support.*

In a general way it was beginning to be acknowledged that the members of the Cabinet, being appointed in great measure by Parliament, should, after their appointment, be the leaders of that body. Yet they often failed to take this position. Thus, in the case of the Occasional Conformity Bill in 1703, the ministers did not lead, but were led. It was introduced in the first place by three private members. One of these, it is interesting to notice, was Henry St. John. Under a feeling of compulsion the ministers gave it their support, but the House of Lords amended it to such an extent that, as the Commons were not willing to consent to these amendments, it was allowed to drop. It was again

brought forward, much against the wishes of Marlborough and Godolphin, who induced the Queen to express in her speech the hope that all her subjects might live in peace and unity among themselves. As it was nevertheless brought forward, the ministers again felt obliged to support it. But as they were beginning to feel that they might soon have to rely upon Whig votes, they did this even less heartily than before, and Godolphin said that, though right, it was unseasonable.

Again, in February, 1708, the bill to render the union with Scotland more complete was before Parliament. It was a ministerial measure. Yet Marlborough and Godolphin voted for an amendment to their own bill, and, when it was finally passed, signed a protest to the whole measure!

In 1714, when the Schism Act was being considered, we find Lord Oxford, the leader of the administration, taking a similar irresolute and undignified position. In the Cabinet he said that it was too severe, and proposed to soften it to some extent. Not being able to bring his colleagues to his way of thinking, he said in the House of Lords that he had not yet considered it. His next move was to induce the Opposition to allow the second reading to pass without dividing. When the final vote was taken, he absented himself from the House.

It will be observed that when ministers took a weak

position in Parliament, it was due either to the fact that they were doubtful as to their ability to command a majority in the House of Commons, or to the fact that they were divided against themselves.

The Parliamentary method of holding ministers responsible was still impeachment. Yet it was evident that the day of political impeachments was passing away. Men were beginning to estimate them at their true worth or worthlessness. Sir Roland Gwyne wrote to the Elector of Hanover, January 9, 1709: "Your Electoral Highness sees my Lord Somers being made President of the Queen's Council. Although impeached by Parliament he can be, and is, employed in places of the highest trust. I could give you many instances of the same nature."[1] The most prominent men in the nation visited Walpole in the Tower, and his impeachment never counted against him, either as a gentleman or as a statesman.

When we come to consider the Cabinet itself, apart from its external relations, we find that so many terms are used during this reign to designate the advisers of the Crown that it is very difficult to decide what each one signified. We find mention of the Cabinet, the Lords of the Committee, the Committee of Council, the Lords of the Cabinet Council, and the Great Council. The Cabinet may be taken to mean the group of privy

[1] Macpherson Papers, Vol. II. p. 137.

councillors with whom the Queen consulted on affairs of state. The Lords of Committee, Committee of Council, and Lords of the Council were perhaps general terms used to denote any standing committees, but, strictly speaking, they meant the Committee of Foreign Affairs to which during this reign, and it would seem during this reign only, foreign affairs were generally submitted before they were brought before the Cabinet.[1] The Great Council was the Privy Council, which, as we have seen, no longer assembled except for the transaction of formal business. These are in general the significations of these terms, but they are not always to be relied upon. Thus Swift calls the committee which met to examine Guiscard, a "committee of the Cabinet Council." Bolingbroke says the "Lords of the Council." Modern writers usually speak of it as the Cabinet.

Under Anne there was a somewhat further development of the office of Prime Minister, owing no doubt partly to the fact that the Queen was not so well able to lead the Cabinet deliberations herself as William had been. Throughout the first two administrations of the reign, Godolphin was generally acknowledged to be

[1] We find Bolingbroke writing to the Queen, September 24, 1713, on the Treaty of Peace and Commerce with Spain, "The draft will be ready for the Lords of the Council to-morrow, and for the Cabinet on Sunday, when I humbly presume that you will have the Cabinet sit as usual."

the first minister at home (Marlborough being abroad), and during the greater part of the time that he was in office he was able to acquit himself as such. But after the final rupture between the Queen and the Duchess of Marlborough, the Queen utterly disregarded Godolphin, though retaining him as nominal first minister. The feeling was developing, that the first minister, if he was not to appoint his colleagues, was at least to be consulted as to their appointment. So when Anne appointed Shrewsbury, who was playing Tory just then, Lord Chamberlain without consulting any one, Godolphin wrote her a reproachful letter. Yet he declared himself willing to submit unconditionally to the royal will. "For my own part," he said, "I must humbly beg leave to assure your Majesty that I will never give the least obstruction to your measures." A little later in the history of Cabinet development, a minister would have felt compelled to resign if he had received such treatment. That some progress was being made is shown by the fact that even at that time Godolphin was much blamed for submitting to such indignity. "If Lord Treasurer can but be persuaded to act like a man," wrote Sunderland, while the Tories said derisively that the enemies of passive obedience had become passive themselves.

Swift often speaks of Harley as Prime Minister, and once speaks of "those who are now commonly called

Prime Ministers among us." There was more disposition to hold Harley accountable for appointments, or for failure to make appointments, than there had been with previous ministers. Swift says that he often allowed himself to be misunderstood, taking blame upon himself which should have attached to the Queen, he having been powerless to help matters, because of her interference. He did this, Swift explains, "because it is a fundamental principle of government that a first minister should preserve the appearance of power."[1] Yet it is probable that his colleagues never held themselves strictly accountable to him for transactions in their departments. And during the last six months of his administration, he would enter into no business but what immediately concerned his office.

Cabinet meetings were regular and frequent during the reign of Anne. They were held always on Sunday, and Cowper's diary speaks of many extra meetings. But inasmuch as there was considerable doubt as to who constituted the Cabinet, there was of course a doubt as to who had a right to be summoned to these meetings. The Queen seems to have thought that she could occasionally invite any one whom she pleased. Swift gives us a curious instance of this. He writes to Archbishop King, August 26, 1711: "The Duke of Somerset usually leaves Windsor on Saturday, when the ministers go down

[1] Swift, "Last Four Years of Queen Anne."

thither, and returns not till they are gone. On Saturday sevennight, contrary to custom, he was at Windsor, and a Cabinet council was to be held at night, but after waiting a long time, word was brought out that there could be no Cabinet. Next day it was held, and the duke went to a horse-race three miles off. Mr. St. John refused to sit, if the duke were there. Last Sunday the duke was there again, but did not offer to come to the Cabinet, which was held without him."[1]

As in previous reigns, it was not the invariable custom to discuss all public affairs in full Cabinet meetings. We have already noticed, in considering the relations of the Cabinet to the Crown, that the Queen took the responsibility of some actions upon herself, almost, if not quite, without consultation with her ministers. Moreover, she sometimes consulted some and not others. Further than that, particular ministers used their own discretion as to whether matters relating to their departments should be brought before the Cabinet or not. Thus Bolingbroke writes (January 19, 1711) that he is sorry that certain secrets have got abroad, for they have not yet been communicated to the Cabinet. Again (April 17, 1711) he

[1] Swift's Letters, August 26, 1711. The Duke of Somerset was Master of the Horse — a man of no special ability. Anne, because of her fondness for his wife, had insisted upon his retaining his place after the other Whigs were turned out. He told Cowper that he would not attend the Privy Council.

says that the Lord President, the Lord Chamberlain, and Mr. Harley are the only ones in the secret of the overtures made by the Duke of Lorraine. Again (May 8, 1711) he requests that Lord Raby write in a separate letter "such things as are not of a nature to be communicated even to the Cabinet until her Majesty should think fit."[1] When Harley left the Marlborough-Godolphin Cabinet, he wrote to Marlborough, "I have not interposed in, or contradicted, directly or indirectly, the putting in or putting out any person, or meddled with any measures that are taken; *for I have avoided knowing them.*" Again, during the last ministry of the reign, we find the Lord Chancellor Harcourt complaining "in very feeling terms" that he knew no more of the measures of the Court than his footman. Lord Bolingbroke had not made him a visit for a year, and Lord Oxford did not so much as know him.

Harley's famous Saturday dinners — those dinners at which wit and wisdom so abounded — were made a means, not only of excluding the Queen from Cabinet deliberations, but they also furnished opportunity for the exclusion of certain ministers. These dinners were probably held at times when the occasion seemed to require it, before they were made a regular occurrence. Cowper tells us of a Cabinet dinner given by Harley in 1707 as a token of the reconciliation of

[1] Bolingbroke Correspondence for above dates.

Somers and Halifax with himself. "I dined," he says, "next day on invitation with Secretary Harley. Present, Duke of Marlborough, Lord Treasurer, Mr. Boyle, Chancellor of the Exchequer, Mr. St. John, Lord Sunderland. Lord Somers, I understood, had been invited, but did not come, being at his country house, but Secretary Harley said he had sent him a kind letter to excuse his absence. I believed when I see the company this to be a meeting to reconcile Somers and Halifax with Harley, which was confirmed to me when, after Lord Treasurer was gone, who first went, Secretary Harley took a glass and drank to love and friendship, and everlasting union, and wished he had more Tokay to drink it in. We had drank two bottles, good but thick. I replied that his White Lisbon was best to drink it in, being very clear. I suppose he apprehended it, as most of the company did, to relate to that humor of his, which was never to deal clearly and openly, but always with reserve, if not dissimulation, or rather simulation; and to love tricks, even where not necessary, but from an inward satisfaction he took in applauding his own cunning. If any man was ever born under the necessity of being a knave, he was."[1]

Swift's letters and journal abound in allusions to the regular dinner of the Harley administration. This dinner was not strictly confined to members of the Cabi-

[1] Cowper's Diary, January 6, 1707.

net, since Swift himself gained admittance, and must have been one of the most valued guests. At first he says the company consisted only of the Lord Keeper Harcourt, Earl Rivers, the Earl of Peterborough, Mr. Secretary St. John, Swift himself, and of course the host, Harley.[1] After dinner they used to talk, and settle matters of great importance. Owing to the fact that Harley undertook to give his guests an account of his administration, and to receive their criticisms, he merrily called Saturday, the day of the meeting, whipping-day. In time others were brought into these consultations. As the meetings grew in numbers, they decreased in interest and importance. Swift says that after the introduction of all that rabble he frequently stayed at home.

Finally we notice that we have, during almost the whole of this period, hybrid administrations. While the officials first appointed by Anne were all Tories, as has been mentioned before, some Whigs already in office were not turned out, and the new appointees were of very varying shades of Toryism. Marlborough and Godolphin decided that it was more difficult to get on with their high Tory colleagues than with the other party. Their letters, during the first few years of their administration, abound in allusions to dissensions in the Cabinet.

[1] Swift, "Works," Vol. XV. p. 27, ed. 1765.

During the period of the ascendency of the Whig Junto, we have, it is true, such ministerial unanimity as had not been known since 1698. But although, as we have seen, the Junto had influenced the administration very largely for some time before they actually came into office, they were in full power barely two years, from 1708 to 1710.

The last ministry of Anne was again a full Tory ministry, but it was not distinguished for its unanimity. Indeed, there could hardly have been two men more opposed to each other than were its leaders, Oxford and Bolingbroke. Oxford had been a Whig, and some of his colleagues thought that he had not yet recovered from that complaint. He was a strong Hanoverian, and was suspected of too great fondness for the Dissenters. Bolingbroke, on the other hand, was making it the object of his life to consolidate the Tory party. In order to do this, he was strengthening the Church, and even plotting, with how much sincerity cannot now be determined, to bring in the Pretender. In addition to political differences, personal jealousies soon arose. The Cabinet split into two factions, the one following Oxford, the other following Bolingbroke. Swift tells us that the last six months that Oxford was in power were "nothing else but a scene of murmuring and discontent, quarrel and misunderstanding, animosity and hatred."[1]

[1] Swift, "Last Four Years of Queen Anne."

There were not four days, he says, of any kind of concert.[1]

So long as the changes in the Cabinet were gradual, there were of necessity divided administrations. And it took four years to transform the Tory Marlborough-Godolphin ministry into the Whig Marlborough-Godolphin ministry. It took four months to transform this latter administration into the Tory administration of Oxford and Bolingbroke. In this latter case the rapidity with which changes were made was looked upon with great astonishment. Burnet says that such haste was unprecedented.

But further, the Cabinets of Anne were divided against themselves, not by accident, but on principle. The Queen saw very clearly that party government meant the surrender of the royal personality. As we have seen, both her inclinations and her principles were opposed to this. She appointed her first ministry with reference to having a certain difference of opinion among her ministers. When, in 1706, Godolphin was urging her to bring the Whigs into office, she wrote to him: "Why should I, who have no end, no interest, no thought, but the good of my country, be made so miserable as to be brought into the power of one set of men? . . . Throwing myself in the hands of a party is a thing I have always

[1] Swift, letter to Peterborough, May 18, 1714, "Works," Vol. XVI. p. 132.

been desirous to avoid. Maybe some would think I would be willing to be in the hands of the Tories, but whatever people may say of me, I do assure you, I am not inclined, nor ever will be, to employ any of those violent persons who have behaved so ill to me. All I desire is my liberty in encouraging and employing all those who concur faithfully in my service, whether they are called Whigs or Tories; not to be tied either to one or the other. For if I should be one so unfortunate as to fall into the hands of either, I shall not imagine myself, though I have the name of Queen, to be in reality anything but their slave, to my personal ruin and the destruction of all government."[1]

In 1710 she was scarcely more desirous of putting herself into the hands of the Tories, than she had been in 1706 of putting herself into the hands of the Whigs. It was only when she could not find Whigs to serve as the colleagues of Harley that she turned completely to the Tories.

Nor was the Queen the only person who objected to putting all power into the hands of a party. Marlborough and Godolphin never quite gave up the theory of a coalition government. Three of the more prominent Whigs, Somerset, Argyle, and Shrewsbury, were always opposed to party government. Their influence contributed to the fall of the Whigs in 1710. And we

[1] Quoted by Harrop, "Life of Bolingbroke," p. 38.

have noticed the sudden bold stroke by which, at the close of Anne's reign, they practically ruined the Tory party for the time being. As for Harley, he desired to restore the old authority of the Privy Council, and was strongly opposed to the whole Cabinet system. If there was to be a Cabinet at all, he wished it to be the Parliament in miniature. Whenever a government tended to become altogether a party government, we find him intriguing against it, even though he might himself be a member of it. In 1704 it was largely through him that the high Tories, Nottingham and Rochester, left the Cabinet. In 1707 he did his best to turn out Godolphin and the Whigs. In 1710 he made vain attempts to form a comprehensive administration. In 1713 and 1714 he was in opposition to the great body of his own followers.

But divided cabinets are possible only where there are divided parties. And in the parties there was more and more tendency to consolidation. When Marlborough fell, in 1710, the Whigs held two meetings to decide whether they could hold office in a divided administration. They decided that they could not. So when Somers, Halifax, Cowper, and Walpole were pressed to retain their positions, they refused. Cowper tells us that he "made suitable expressions to acknowledge so great a favor, but in substance said that things were too far gone toward the Tories for him to think it prudent to

retain his place if he might."[1] When Harley found that the bulk of his administration must be Tory, he even felt obliged to turn out the few Whigs who were willing to serve.

And it was not only the Whig party that was developing a compact organization. The Tories, under the leadership of Bolingbroke, were following in their footsteps.

To sum up, we cannot say that any very distinct step in advance was made during this reign. Yet Cabinet government was in a much more developed state at the death of Anne than at the death of William. The advance was chiefly due to the fact that both Parliament and the Crown were becoming used to the new order of things. Parliament, for the most part, ceased to complain against it, and the Crown ceased to exert the controlling influence of earlier days. The increased power of Parliament, and especially of the House of Commons, made it more and more necessary that the minister should serve the legislature rather than the sovereign. The elevation of Parliament meant the elevation of the ministers, who were becoming at the same time its masters and its servants. Permitted more and more to manage its own affairs, the Cabinet began to realize, as never before, that internal organization was necessary. Hence there was a certain striving after political unanimity, and the office of Prime Minister began to emerge.

[1] Cowper's Diary, September 22, 1710.

CHAPTER VI

INFLUENCE OF THE CROWN UNDER THE FIRST TWO GEORGES

Decline in royal influence due to tenure by which the House of Hanover held the throne — Loss of royal state — Character of the kings — Their dislike for England — Ignorance of state affairs — Exclusive employment of the Whigs — Extinction of high prerogative sentiment among the Tories — The ministry of Townshend — Changes in 1716–1717, due entirely to royal will — The administration of Walpole — A Prime Minister whom the King gave to the people — Yet he depended upon Parliamentary support — George II. is obliged to retain Walpole — Walpole exerts himself to gain the royal favor — Walpole loses his majority and resigns — Distinct era in decline of royal power — The King is unable to appoint his successors — Divisions in the new Cabinet — Henry Pelham appointed First Lord of the Treasury — Granville dismissed — The Broad-Bottom administration — Resignation of the Pelhams — Parliament refuses to support Granville — The Pelhams reinstated — Newcastle succeeds Pelham — Walpole's attempt to form an administration — Administration of Pitt — Influence of the Crown on measures — The King ceases to attend Cabinet meetings — The King no longer held responsible for measures — The King's speech — Feeling of security against abuse of royal power.

Appendix A. — The King's presence at Cabinet meetings.

Appendix B. — Conversation between George II. and Hardwicke.

IT was under the first two Georges that Cabinet government took definite form. It will be necessary, therefore, to follow the development during these reigns a little more closely than we have hitherto done.

Throughout our study we have noticed that the great obstacle in the way of further progress was the personal influence of the sovereign. With the accession of the House of Hanover, many circumstances combined to decrease this. The very nature of the tenure by which the new kings held the throne was calculated to dispel that reverent affection and that glowing enthusiasm which had so often insured the sovereign such unquestioning obedience. Reason repudiates the idea that heredity is a better title than the free choice of the people. The imagination even of the most reasoning and cultured classes clings to it. It is impossible to surround the elective monarch with that halo of poetry and romance, of which no bad government and no personal unworthiness can wholly divest him whom the people believe to have been raised up by God to be their king.[1]

[1] It is indeed true, as Professor Freeman points out in his "Growth of the English Constitution," that the Crown of England had always been elective; that no one could legally be King of England except by Parliamentary title, and that every sovereign except James I. has had this title. It was partly because James I. was a usurper with no legal title that he developed the doctrine of the Divine Right of Kings. It was only by the Act of Settlement which placed the Crown on the head of England's last elective

Yet, although the elective king does not command reverence such as is inspired by the hereditary king, he may arouse enthusiasm of another nature, not so sentimental and poetic, but perhaps higher, nobler, and more manly, because more reasonable. He is the man of all others whom the people believe fitted to lead their armies in war, and to guide their councils in peace. He is the man whose abilities they admire, whose personal character they approve, and to whom they are often bound by ties of the warmest affection. He is the highest product of their civilization. They have made him. It is not only that their votes have made him king. Their civilization has made him fit to be king. And he is one of them. He has grown up among them. He knows not only their institutions, but their temperament. He not only knows, but he shares, their desires and aspirations. Such a king may even have more actual power than the hereditary king. For the hereditary king may be too great and awful for practical purposes. But the elective king has been chosen that he may exercise those practical abilities of which he is known to be possessed.

The position of the Hanoverians was such that they

king that the monarchy became legally hereditary. Yet the practice of always electing some one who stood in the position of heir to his predecessor, or as near that position as under the circumstances seemed feasible, had obscured the real elective character of the monarchy.

were no better fitted to arouse enthusiasm as elective kings than they were to inspire reverence as hereditary kings. They had indeed been chosen to be kings of England, but not by the people of England. The Act of Settlement was passed by a parliament of William III., which, like all other parliaments of the time, represented but a small minority of the English people. It was passed by men who, at the time, were swayed by strong indignation, aroused by an insult which the French King had put upon the English nation.[1] Had it been presented to the House of Commons either a few months earlier or a few months later than it was, it is more than possible that it would have been rejected. All through the reign of Anne it was losing favor. The Queen herself was believed to be opposed to it. So were almost all the members of her last Cabinet. Had it been put to popular vote at any time during the reign, there can be little doubt that the people would have rejected it. That its provisions were carried out was due wholly to the fact that, in the consternation attendant upon the Queen's unexpected death, its enemies, whose plans were not quite matured, lost their heads, and its friends were thus enabled to gain control. Of the men who were prominent in placing the House of Hanover on the throne, and maintaining it there, some were actuated almost wholly

[1] The acknowledgment of the son of James II. as King of England.

by personal ambition. Others regarded the change in dynasty as in itself a great evil, but the only salvation from still greater evils. Not one felt any personal enthusiasm for the new kings. The first two Georges knew that more than half the English people would be glad to have them leave the country forever, and that any misgovernment on their part would so rouse their subjects that they would be eager to take active measures to secure their departure. Understanding that they held the throne only on sufferance, they were the more willing to hand over the power, with the responsibility for its use, to their English ministers.[1] "As for your rascals in the House of Commons," George I. said to Walpole, "manage them as you please. I don't interfere with them."

Nor was the loss of royal prestige due only to the circumstances attendant upon the accession of the House

[1] Count Broglio writes to the King of France, July 20, 1724: "He [George I.] rather considers England as a temporary possession to be made the most of it while it lasts, than as a perpetual inheritance to himself and family. He will have no disputes with the Parliament, but commits the entire transaction of that business to Walpole, choosing rather that the responsibility should fall on the minister's head than on his own, and being well apprized that a king of Great Britain is obliged, when the Parliament requires it, to give an account of his conduct, as well with respect to the liberty of the subject, as to the execution and formation of laws. I have even been assured that the King has expressed himself to this effect." — Coxe, "Walpole," Vol. II. p. 303.

of Hanover. The characters of their foreign rulers did much to break the spell which royalty had hitherto cast over the English people. To begin with, the elaborate etiquette of English court life was disagreeable to the first two Georges. They therefore abolished it, substituting for it the simple manners and customs of a little German court.[1] To the English the pomp and pageantry of royalty had been the outward symbol of an inward greatness. They therefore saw in this simplicity of life a tacit acknowledgment on the part of the new family that they had no claim to the reverence which had been felt for the sovereigns of England.

As the kings were no longer surrounded by the awful and the mysterious, their lives and characters might be known and criticised as the lives and characters of other

[1] "No prince in the world lives in the state and grandeur of the King and Queen of England. . . . Yet, in my own private opinion, it savors too much of superstition, being a respect that religion allows to the King of kings. King George, since his accession to the throne, hath entirely altered this superstitious way of being served on the knee at table. King Charles II., King James, King William, and Queen Anne, whenever they dined in public, received wine upon the knee from a man of the first quality, who was a Lord of the Bedchamber in waiting. But King George hath entirely altered that method. He dines at St. James's privately, served by his domestics, and often sups abroad with his nobility." — MACKY, "Journey through England," Vol. I. p. 198–200, ed. 1724.

men. And when Englishmen looked at their rulers with eyes no longer blinded by superstition, or dazzled by splendor, they saw nothing in them to inspire reverence. There was no personal dignity to disarm criticism, and no moral dignity to command respect. The Georges were men as other men were, — only less dignified, more disagreeable, and more vulgar. Not perhaps more vicious than the House of Stuart, the House of Hanover did not understand, as their predecessors had understood, the art of being vicious in a gentlemanly way. No veneer of elegance and culture made the vices of the German kings respectable.

As the newcomers did not excite admiration, still less were they fitted to inspire affection. They themselves disliked the English people, and were at no pains to conceal that fact. It was not to be expected that any cordial understanding or strong admiration would spring up between a king and people unable to understand each other's language. But George I. seems to have taken pains to emphasize his want of sympathy with his subjects. "The King," writes Count Broglio to his master, "has no predilection for the English nation, and never receives in private any English of either sex."[1] All menial offices, such as required frequent access to the royal person, were performed by Turks. Naturally, when the English found their dislike

[1] Coxe, "Walpole," Vol. II. p. 303.

for their foreign rulers reciprocated, that dislike did not tend to decrease.

Where character was wanting, there was no ability, no knowledge of and zeal for the national interest, that might, in some sense, have compensated for the lack. Ignorant on all subjects, the German kings were especially ignorant of all that concerned the people over whom they had come to rule. George I., at least, seems to have had no desire to know about English institutions. His little electorate of Hanover, and Continental politics, as they might affect that electorate, were of much more consequence to him than the welfare of England. "England," says Lord Chesterfield, "was too big for him." It was not timidity alone that induced him to hand over the management of English affairs to his ministers. It was partly ignorance and indifference.

Another cause for the decrease in the personal influence of the Crown is to be found in the almost exclusive employment for fifty years of one party in the important offices of state. George I. was much blamed for initiating this custom, but indeed he could hardly have done otherwise. We have seen how William and Anne strove to maintain mixed cabinets, and with what indifferent success. All the difficulties that had confronted them in trying to make a comprehensive ministry workable would have confronted George I. It is hardly to be supposed that he would have succeeded

where they failed. But the consideration which prevented him from even making the attempt was not so much the difficulty of getting state business done in that way, as the dangerous position in which such an arrangement would have placed him. For George I. came in as the protégé of the Whigs. The Tory King was James III.[1] The introduction of Tories into the Cabinet of George I. was considered unsafe, as the introduction of Whigs into the Cabinet of James III. would have been considered unsafe.[2]

If fear and indifference had not led the Hanoverian kings to surrender their personal rule to so large an extent, the establishment of party government would have compelled them to do so. For, as William and Anne had foreseen, the sovereign who employs servants taken entirely from one party must submit to the dictates of that party. That is, it is no longer he, but the party chiefs, who rule.

[1] Doubtless it was the Whig policy to put the Jacobite tendencies of their rivals in as strong a light as possible, yet, when Cowper told the King, that while the best of the Tories were not inclined to hazard much to bring the Pretender in, they could be counted upon to risk very little to keep him out (Cowper's Memorial laid before George I. at his accession, Appendix to Ch. XVIII. of Campbell's "Chancellors"), he hardly exaggerates the actual state of affairs.

[2] There is evidence that George I. did at first contemplate a mixed Cabinet. But he very soon came to the conclusion that it would not be safe.

While party government, whether the party be Whig or Tory, must, sooner or later, lead to the diminution, — the almost disappearance — of the personal influence of the Crown, yet had the Hanoverian kings been in a position to appoint a Cabinet composed of men the first article of whose political creed was the upholding of the royal prerogative, this result might have been postponed for some time. Fortunately for England, at the time when her kings were forced to intrust the entire government to a single party, they were no less forced to choose the Whig party. Thus no one was left to uphold the personal rule of the Crown. The men who under other circumstances would have done so were perforce given no part in the administration. The men whom the new monarchs were obliged to employ were those whose fundamental principle it was to maintain a steady opposition to what they considered an abuse of the royal power. And it was not long before they came to believe that almost any direct use of this power was an abuse — that only as it was delegated to responsible ministers could it be an advantage to the state.

Moreover, the attitude which the Tories held for so long a time toward the occupants of the throne led to an important change in their political creed. Since the death of Anne they have made no attempt to extend the royal prerogative. The accession of a king in whose

title they did not believe, and whose person they did not desire, made them what they are to-day — an aristocratic rather than a monarchical party. Thus, not only did the circumstances under which the House of Hanover came to the throne render it impossible for the earlier kings of that line to receive any support from the high prerogative party, but as a further consequence of those circumstances, the party itself, as a high prerogative party, became extinct. Never again would a king of England, who might wish to extend his powers beyond the limits prescribed by the Constitution, be able to find a party whose political principles would support him in such an attempt. So the liberties of the subject, as against the sovereign at least, were fully secured.

Thus almost every cause which could tend to lessen the personal influence of the Crown was brought into operation by the accession of the House of Hanover. The disappearance of the popular superstition which had glorified the person and office of the sovereign; the fact that a very large proportion of the nation looked upon the *de facto* King as a usurper, and felt that their allegiance was due elsewhere; the disadvantages which the new kings were under as foreigners; their inferior characters and contemptible abilities; their ignorance of and lack of interest in the English people and their Constitution; their personal unpopularity; the necessity under

which they lay to employ but one party, and that the party opposed to any extension of the royal authority; and finally, as a result of all these circumstances, the extinction of high prerogative sentiments in the conservative quite as much as in the progressive party, — all these causes combined to transfer the efficient power of government from the King to Parliament and the ministers.

We see the result of this remarkable accumulation of causes first in the appointment and dismissal of ministers. Yet it did not at once make itself manifest. For instance, every one recognized that after the death of Anne, a long period of the ascendency of one party was inevitable; but every one also recognized that the settlement of the question as to who the king should be, would also settle the question as to which the party should be. The Whigs did not come into power because they were the stronger party in the state. Indeed, while they were somewhat stronger in organization than were the Tories, they were weaker in numbers. They came into power because there was a Whig king on the throne. Had the other king been proclaimed, the other party would have been dominant. Nor was the King willing, having chosen the party, or rather having been chosen by the party, to allow that party to appoint the ministers. He appointed them himself, nor did he appoint the men whom the party would have appointed. He allowed the three great leaders, Halifax, Sunderland, and Marlborough,

very subordinate positions. As Secretary of State and first minister he chose Lord Townshend, a man of only fair abilities, who had not yet taken the position of a party leader.[1]

If the hand of the King was noticeable in the appointment of his first Cabinet, still more noticeable was it in the changes made in that Cabinet in 1716 and 1717. The circumstances which led to these changes were somewhat complicated. The King was displeased because the ministers did not enter heartily into his Continental policy. In negotiating a treaty with France, there were delays for which Townshend was responsible. Although the minister afterward explained his course to the King's satisfaction, the friction caused by the event was not altogether removed. There was also a misunderstanding with Walpole, the Paymaster of the Forces, concerning the pay for the Saxe-Gotha troops. As Walpole was at this time considered Townshend's man, the chief was in some measure held responsible for the conduct of the subordinate. While the King was out of

[1] The first Cabinet of George I. consisted of Townshend and Stanhope, Secretaries of State, Cowper, Lord Chancellor, Nottingham, President of the Council, Sunderland, Lord Lieutenant of Ireland, Somers, probably without office, and Marlborough, Captain General. There was one Tory in this Cabinet, Nottingham; but he had for some time been acting with the Whigs. Owing to his disapproval of the sentence passed upon the Scotch rebel noblemen in 1716, he did not remain long in office.

England in 1716, the Prince of Wales seemed to be trying to get up a Parliamentary interest in opposition to his father. George suspected that Townshend and Walpole were supporting this. Sunderland, the Lord Lieutenant of Ireland, who had been much chagrined that he had not been appointed Secretary of State and first minister, did what he could to set the actions of his colleagues in the worst possible light. Stanhope, who was Townshend's colleague as Secretary of State, joined Sunderland in his efforts. While the King was still abroad, Townshend was forced to change places with Sunderland. The King on his return to England acknowledged that there had been a misunderstanding. He promised Townshend that he should be reinstated as soon as it was consistent with the royal dignity. But shortly afterward, because Townshend and Walpole with their adherents did not give him the support he wished in obtaining from the House of Commons a supply such as would enable him to concert such measures with foreign powers as might prevent apprehension of danger from Sweden, Townshend was dismissed, and Walpole, who had risen to the post of First Commissioner of the Treasury, resigned. Stanhope was appointed to the vacant place in the Treasury. Shortly afterward, in order that he might be in a position to direct foreign affairs, he changed places with Sunderland.

The important points to be noticed with respect to

this change in the administration are that it was made because of the King's personal displeasure with his first minister; that it was made while he was out of England; that he consulted with no one, except those who were to benefit by it; that so far from there being any demand, either in Parliament or in the nation, for Townshend's dismissal, the news of the King's action was received with the greatest consternation. "Stop your hand," writes Walpole to Stanhope, "till you can see and hear how all you have done is received here."[1] And again, Brereton writes to Stanhope: "I will venture to say that the town is in greater confusion than it was at any part, or at any alterations whatsoever, made in the late Queen's reign. When I go to Court, the very great ones there, to whom I had scarce the honor of being known before, salute me, and are also very solicitous as to the true springs and causes of what they don't scruple to call aloud these extraordinary proceedings. Nay, it has there been said already, that never was anything more unprecedented than for his Majesty, when out of the nation, with the counsel of one single minister only, to make so prodigious a change in the ministry."[2]

[1] Coxe, "Walpole," Vol. II. p. 149.

[2] *Ibid.*, p. 151. It is possible that the friends of Townshend exaggerated the dismay which was felt at the change of Prime Minister. They make much, for instance, of the fall in stocks occasioned by it. The stocks did fall, but less than one per cent. Yet the

We have a letter from Stanhope to Walpole, dated January 1, 1717, in which he states the view he wishes to have taken of the cause of the dismissal, and also his opinion of the scope of the royal authority under such circumstances. "I wish it were as easy for me," he writes, "to get rid of my office, as I will venture to affirm it was impossible to keep my Lord Townshend so. Ought I either in my own name, or in the name of the Whiggish party, to have told the King that my Lord Townshend must continue to be Secretary of State, or that I nor any other of our friends would have anything to do? I really have not yet learnt to speak such language to my master. And I think a king is very unhappy if he is the only man in the nation who cannot challenge any friendship from those of his subjects whom he thinks fit to employ. I think more is not required of a man in behalf of his friend than in behalf of himself. And I assure you that it would be impossible for me to bring myself to tell the King I won't serve him unless he gives me just the employment that I like best."[1]

It will be seen that Stanhope, in this letter, touches on a number of fundamental questions relating to Cabinet government. Are the ministers personal servants of

fact remains that the King acted for himself against the wishes of the majority of his ministers, of Parliament, and of the nation.

[1] Stanhope, "History of England," Vol. I. p. 181.

the Crown, to be appointed by the sovereign at his pleasure, considering neither the voice of the nation, nor the personal fitness of the candidates, when such considerations interfere with his pleasure? Is it the duty of the loyal subject to take office when commanded to do so, regardless of his own wishes, and of those of the people? even regardless of his ability to perform the duties of the office? And if the sovereign may appoint at pleasure, may he also dismiss at pleasure? dismissing a minister who has been guilty of no misdemeanor, and who has not lost the favor of Parliament or the nation? Finally, should the Cabinet be a unit? George I. and all his predecessors answered these questions as Stanhope did. But the very raising of the questions indicated that other solutions were beginning to be thought possible.

On the death of Stanhope, in 1721, and the forced resignation of Sunderland owing to his connection with the South Sea Company, there was an end of the ministry which relied chiefly upon royal favor. The great administration of Sir Robert Walpole began, — an administration which, during the twenty-one years of its continuance, placed government by the House of Commons on so sure a foundation that since then nothing has been able to shake it.

Yet it is to be noticed that Walpole was never an especially popular minister. While he did more than

any one else to transfer the power from the King to Parliament and the people, it was the King rather than Parliament or the people that put him at the head of affairs. It is an oft-quoted but true remark of Dr. Johnson that there was this difference between Walpole and the elder Pitt, that Walpole was a minister whom the King gave to the people, while Pitt was a minister whom the people gave to the King. If Walpole devoted most of his energy while in office to securing and maintaining a Parliamentary majority, it was in order that he might thereby secure the King. He differed from his predecessors, not in courting the royal favor less, but in courting it differently. He made the King employ him by showing that he and he only was able to manage the House of Commons and keep the nation quiet. If the King sometimes thought that he required him to give up too many of his pet schemes, he was made to see that the choice lay between a half-loaf and none at all. With Walpole at its head the government was workable. Some of the things which the King wanted could be done. Without him there was anarchy in the Commons and rebellion in the nation, and all was lost.

When George II. came to the throne, in 1727, he thought that he could appoint his own ministers as his father had done at the beginning of his reign. Having been at enmity with Walpole for years, he undertook to make his friend, Sir Spencer Compton, his chief

minister. Within a few hours it became evident that this was impossible. There was only one man in the nation who could control the House of Commons. Therefore there was only one man in the nation fit to be first minister. The King was obliged to reinstate the minister who had been his enemy for years, and not only the minister but the subordinates. Among these was the man whom he had characterized as "an impertinent fool" (Newcastle), the man who was a "choleric blockhead" (Townshend), and the man who was a "scoundrel, fool, and dirty buffoon" (Horace Walpole).

Yet Walpole was too wise to place too much reliance on Parliamentary support apart from royal favor. Indeed at that time a minister's ability to retain his Parliamentary majority depended largely on the popular impression that he had the support of the Crown. For, even apart from bribery, other things being anywhere near equal, the disposition of the country was to return a House of Commons pleasing to the King,[1] and the

[1] The first Parliament of every sovereign since the Restoration had contained a large court majority. This was especially noticeable in the case of the first Parliament of George I. Whereas it was believed that there were more Tories in the country than Whigs, only fifty of the former were returned to the House of Commons in 1714. "The generality of the world here," said the Lord Chancellor Cowper to George I., "is so much in love with the advantages a king of Great Britain has to bestow without the least

disposition of Parliament was to maintain the minister pleasing to the King. Hence it became part of the policy of the opposition to represent that the minister was losing ground with the sovereign.[1] Walpole therefore exerted himself to the utmost to gain the royal favor. The Queen was already with him. With her help he secured the King.

By degrees a Parliamentary opposition was formed against the minister. It was composed of Tories and disaffected Whigs, the latter being the more prominent. It was led by Carteret in the House of Lords and Pulteney in the House of Commons. Walpole's fall in 1742 was due entirely to the strength of this opposition.

exceeding the bounds of law, that 'tis wholly in your Majesty's power, by showing your favor in good time to one or other of them, to give which party you please a clear majority in all succeeding Parliaments." Appendix to Ch. XVIII. of Campbell's "Lives of the Chancellors."

[1] We find Walpole writing, in 1716, "The industrious representations which are made of our being lost with the King, reduce our credit to nothing." Coxe, "Walpole," Vol. II. p. 64. In 1737 Chesterfield suggested that, in the case of Queen Caroline's death, it would be good policy to look upon Walpole as gone too, and that whether he were really gone or not. Chesterfield's "Letters," Vol. V. p. 427. In 1760 Earl Temple asked that the Order of the Garter be bestowed upon him, giving as his reason for the request that the royal displeasure with him had been so marked that he could no longer continue in office unless some favor were shown him, which should change the popular impression as to the estimation in which he was held.

He was still high in favor with the King, who received his resignation with tears in his eyes. He resigned simply because he was no longer able to command a Parliamentary majority. Such a deposition had up to that time been unheard of. It was recognized as marking a distinct era in the decline of the royal power. One of the popular ballads of the day began: —

> "O England, attend while thy fate I deplore,
> Rehearsing schemes and the conduct of power;
> And since only of those who have power I sing,
> I am sure none can think I hint at the King."

Lord Hervey, who was Lord Privy Seal at the time, being called upon to resign, ventured to remonstrate. "Suppose, Sire," he said, "one of your Majesty's footmen had been beaten for trying to keep an insolent mob off your coach, which mob had shown that they were endeavoring to approach your coach only to insult you, to force you to let them drive it, or to attempt to overturn it. Could your Majesty possibly at the instigation of that very mob turn away such a footman with the same marks of your displeasure that you would do any servant who deserves such treatment by the worst behavior? keep those only in your service who had underhand encouraged that mob whom he had resisted?" "The strange weak answer," Lord Hervey wrote to his father, "he made this, can never be guessed,

and will scarcely be credited when I say it was, 'My Lord, there would not be so much striving for a footman's place.'"[1]

Not only was the King not able to retain the ministers whom he wished to retain; he was equally powerless to appoint their successors. He did not dare to interfere with the business of cabinet-making at all, but perforce handed everything over to the victorious leaders whom he hated. The ballad-maker before quoted makes Carteret address his master in this way: —

"Perhaps now you expect that I should begin,
To tell you the men I design to bring in;
But we've not yet determined on all their demands,
And you'll know soon enough, when they come to kiss hands."

Lord Hervey's letters to his father at this time are interesting. He writes that he said to the King: "Your Majesty cannot but be sensible that in all these changes, rewards, and promotions, you have not been able to protect any one man they had determined to disgrace, or prefer one whom they had resolved should not come in. All that has been left to be done in your Majesty's closet has been to force you to give your fiat to what has previously been consulted by your son and Mr. Pulteney at Carlton House, and conveyed to your Majesty by the Duke of Newcastle and Mr. Pelham, who are to

[1] Hervey, "Memoirs," Vol. II. p. 590.

have all the merit with the Prince of promoting his pleasures, and shelter themselves from your Majesty's anger, while they are gaining his favor, by exclaiming themselves against what they propose, and saying that it is intolerable, unreasonable, and unjust; but that Mr. Pulteney's authority, weight, consideration, and power is such in the House of Commons that there is no withstanding it at present, and that his demands, though ever so exorbitant, must be complied with."[1] And again, July 6, 1742, he writes that he said to King George: "I look upon this week as the great crisis in which it is to be determined whether your Majesty is ever to be king and supreme governor in this country, or not; and whether the nerves and essence of government shall again be united to the titles and shows of government, or remain in different conflicting situations. . . . I am not one of those who think they have a right to dictate to your Majesty whom you shall, or shall not, employ, and however successful those who have acted in that capacity have lately been, I envy them not their success by such methods, and upon such terms. The very word of the tenure by which we hold our office is during your Majesty's pleasure, and when that alters, I know of no privilege any one has to ask your Majesty's reasons."[2]

Never before in quiet times had ministers been in

[1] Hervey, "Memoirs," Vol. II. p. 573. [2] *Ibid.*, p. 586.

the powerful position in which the victorious opponents of Walpole found themselves. Parliament and the nation were with them. The King was powerless against them. The fallen minister thought himself happy if they would but spare his life. Yet they did not venture upon anything so radical as an entire change in administration. Most of the members of Walpole's Cabinet were retained. There were three important changes. The King's old friend, Sir Spencer Compton, who had been raised to the peerage as Lord Wilmington, took Walpole's place as First Lord of the Treasury. Carteret was made Secretary of State, and Pulteney was given a seat in the Cabinet without office. Divisions among themselves prevented the ministers from availing themselves of their opportunities. There was, of course, the feud between the old and the new members of the Cabinet. Nor had the new ministers any definite programme to offer. They had come into office with no point of agreement except opposition to Walpole.

As a consequence of the weakness of the new Cabinet, the royal authority was able to revive a little. But never again was George II. to be successful in maintaining ministers in power contrary to the wishes of Parliament. In July, 1743, Wilmington died. As Parliament was not expressing any very decided preference at that time, the appointment was in a sense entirely at the King's option. There were two candidates for the office, Pulteney, now

Earl of Bath, and Henry Pelham, a pupil of Walpole, and one of the members of Walpole's Cabinet who had been retained after the fall of his chief. To the King, Bath was decidedly the more acceptable of the two. But Walpole, who though out of office was still his trusted adviser, pointed out to him that, though Parliament did not seem specially interested in appointing the minister, just as soon as the appointment was made it would interest itself as to whether it would maintain him or not. Pelham, he said, was more likely to receive Parliamentary support than was Bath. Pelham therefore was appointed.

The monarchical faction in the Cabinet was now led by Carteret, who in 1744 became Earl Granville, while the Parliamentary faction was led by Henry Pelham and his brother, the Duke of Newcastle. In the latter part of 1744 the question as to whether the royal or the Parliamentary authority was the stronger was again put to the test. In November of that year, Granville said to the Pelhams: "Things cannot remain as they are. I will not submit to be overruled and outvoted on every question by four to one. If you will take the government upon you, you may. But if you can not or will not, there must be some direction and I will do it."[1] He doubtless felt tolerably sure that since the choice rested with the King, the matter would be decided in

[1] Coxe, "Memoirs of Horace Walpole," p. 269.

his favor. But again Walpole and the Pelhams convinced the King that he must choose between Hanover with Granville, and the Commons with the Pelhams. Again George's choice was made against his own wishes. Granville was dismissed.

The King was at no pains to conceal the fact that his action was entirely against his will. He said that Newcastle was "grown as jealous of Lord Granville as he had been of Lord Orford, and wanted to be Prime Minister, which, a puppy! how should he be?"[1] When the Chancellor Hardwicke told him that it would be bad policy to show the world that he disapproved of his own work, he said, "My work! I was forced, I was threatened!"[2]

The Pelhams now had everything their own way. They made terms with the leaders of the opposition, and the so-called Broad Bottom administration was formed, several of whose members were personally offensive to the King. The ballad-makers sang of the changes that had been made

"In spight of the Father, in spight of the Son."

A caricature was circulated which represented the ministers forcing the Jacobite, Sir John Hinde Cotton, who had been appointed Treasurer of the Household, down

[1] Horace Walpole, "Letters," to Sir Horace Mann, December 26, 1744. Walpole had been created Earl of Orford.

[2] Harris, "Life of Hardwicke," Vol. II. p. 108.

the King's throat. The effect was heightened by the fact that Cotton was very corpulent.[1]

Still a certain deference was paid to the royal preference. Because Chesterfield was especially disagreeable to the King, he was appointed Lord Lieutenant of Ireland, instead of Secretary of State. Thus the King would not be forced to come into personal contact with him. Pitt was given no office, partly because the King hated him, partly because Newcastle was jealous of him, and partly because it was deemed inadvisable at that time to turn Sir William Yonge out of his post as Secretary at War — the post which Pitt would naturally have filled.

In 1746 the King made another attempt to appoint such ministers as were personally pleasing to him. Again he was made to see his own powerlessness, — this time in a more striking light than ever before. Although he had been deprived of office, Granville continued to engross the royal favor. The Pelham brothers, though the chief ministers of the Crown, were treated with scant courtesy. They saw that they were retained in office only because the King needed their Parliamentary influence. Let him be placed in such a position as to be no longer dependent upon that, and he would get rid of them. Fearing lest, in carrying the supplies that winter, they would secure their own dismissal, they not very

[1] There were no Tories in the Cabinet of the Broad Bottom administration, only in some of the inferior government offices.

patriotically decided at a time when there was an insurrection in the country to test their position. They demanded an office for Pitt. It was refused. Lord Bath informed Lord Harrington, Secretary of State, that he had advised the King to refuse to appoint Pitt, and that he had also advised him to take such measures as would enable him to pursue a proper policy on the Continent. To this Harrington replied, "They who dictate in private should be employed in public."[1] He immediately resigned. The Pelhams followed, and so many others with them that the King finally shut himself up in his closet, and refused to receive any more insignia of office. He sent the seals of the two secretaries of state to Granville, with directions to form an administration. But alas! as Horace Walpole puts it, the favorites had only forgotten one little point, which was to secure a majority in both Houses of Parliament.[2] The new ministers could at the most command not more than eighty supporters in the Commons, and thirty in the Lords. Scarcely any one of reputation could be induced to serve under the new chiefs. After two days they gave up all hope of forming an administration. This was the ministry which, according to the wits of the time, lasted forty-eight hours, seven minutes, and eleven seconds. Granville went home laughing, while the King exclaimed

[1] Coxe, "Memoirs of Horace Walpole," p. 296.

[2] Horace Walpole, "Letters," Vol. II. p. 7.

that it was a shame that a man like Newcastle, who was not fit to be a chamberlain in a petty German court, should have been thrust upon him as Prime Minister. Pitt was given a place, but out of deference to the King's wishes, who insisted that he should not have access to his person, the office assigned to him was that of Vice-Treasurer of Ireland. Soon after he was made Paymaster of the Forces.

Because of these transactions, the year 1746 is memorable in the history of Cabinet development. Previous to that time, Parliament had on several occasions forced the sovereign to dismiss a minister whom he would have preferred to keep. Queen Anne had not only been compelled to dismiss ministers whom she wished to retain, but she had also been obliged to employ ministers who were obnoxious to her. But never before had ministers resigned because the King did not please them. Rather they had been dismissed because they did not please the King. Never before had the sovereign considered the resignation of ministers whom he hated, and whose policy he disapproved, a calamity. Never before had the subordinate members of an administration resigned unanimously with their chief. Never before had ministers been rejected without a trial simply because at the time of their appointment they were displeasing to Parliament. And the very quietness with which it was all done shows how great the progress had been. The Pelhams re-

signed because the King would not listen to them. There was no violent uproar. Successors were appointed, and still no great excitement. But almost immediately these successors discovered that they were without the means of carrying on the government. So they quietly resigned.

His repeated failures in either appointing or maintaining ministers against the wishes of Parliament would seem to have taught the King a lesson. When Henry Pelham died, in 1754, the appointment of a successor was left to the ministers. "Only," the King said to Hardwicke, "I hope you will not think of recommending to me any person that has flown in my face."[1] The Duke of Newcastle took his brother's place.

In 1757 George II. made his last effort to form an administration to his own liking. It was the hardest and most prolonged struggle which he had yet made, but it ended in complete defeat. For five months he had been obliged to submit to a ministry of Pitt's forming. Finding it intolerable, he determined to release himself from the bondage. Accordingly, he sent his favorite, Lord Waldegrave, to try to induce Newcastle to form an administration. "Tell him," he said, "that I do not look upon myself as King while I am in the hands of these scoundrels; that I am determined to get rid of them at any rate; that I expect his assistance,

[1] The allusion was to Fox.

and he may depend upon my favor and protection." When Newcastle advised delay until the supplies were granted, the King said to Waldegrave: "Neither the Duke of Newcastle nor yourself are judges of what I feel. I can endure this insolence no longer." When he could not induce Newcastle to assume the responsibilities of government, he even appealed to Henry Fox, whom he disliked only less than Pitt. Fox made plans for a ministry, but owing to the objections of the King to some of the members proposed, and the unwillingness of others to serve, they were never put into effect.

When the King found it impossible to get rid of the man whom he hated through the coöperation of either Newcastle or Fox, he attempted to do what might have been done a century before, but what he ought to have known could not be done at that time. He planned putting his friend Lord Waldegrave in the place of first minister. Waldegrave was a man of upright character, but of almost no political experience. He, however, understood the position of affairs much better than his master did. He tells us that in answer to this proposal he told the King "that nothing could be done for the public service without a steady majority in both Houses of Parliament, and that a minister must expect few followers who had never cultivated political friendships, and who had always abhorred party violence." However, when he saw that the King was not to be dissuaded,

he agreed to accept the responsibility imposed upon him, but added one more word of warning, to wit, that he was "clear in his own mind that his administration would be routed at the opening of the next session of Parliament." To the Duke of Newcastle he said that "he had accepted office, not from chance, but because he thought it a duty to obey his sovereign's lawful command; that he was sensible that he should be exposed to many difficulties, perhaps to some dangers, but should make himself easy on that particular, being determined to do nothing which he should be afraid or ashamed to answer for."

Thus did a feeling of loyalty induce an honest, patriotic man to take office at the command of his King, and against the wishes of Parliament, although he saw clearly what the result would be. He made his selection of colleagues, but the impracticability of the scheme manifested itself before it was put into operation. Lord Holderness, probably at the instigation of Newcastle, resigned his position as Chancellor. Newcastle told Waldegrave that he had it in his power to bring about numerous other resignations. The King was forced to submit to a Newcastle-Pitt combination. Thus the will of the Commons and of the nation prevailed. Yet it must be noticed that, because of the royal prejudices, the nation was kept three months without a government, and that too while Parliament

was in session, and war was waging. "In our present unaccountable state," writes Horace Walpole, "no one knows who is minister and who is not. We inquire here as the old woman at Amsterdam did long ago, '*Où demeure le souverain?*'"[1]

The great ministry of Pitt now began. And during the remaining three years of the reign the King abstained from interfering with an administration which by its brilliant conduct of affairs was justifying its existence.

To pass from men to measures, as has been previously indicated the first two Georges left these largely to their ministers. Yet the uneasiness of the ministers at the frequent royal journeys to Hanover sufficiently indicates that the King's presence was considered necessary to the steady transaction of business. The foreign policy of the period was of course largely outlined by the Crown. The King was sometimes appealed to by the ministers as the arbiter of disputed questions. For instance there was a difference in the interior Cabinet[2] of the Broad Bottom administration with respect to the orders to be sent to Admiral Byng. This interior Cabinet consisted of the Pelham brothers, the Chancellor Hardwicke, and the Duke of Bedford. In the matter under discussion Henry Pelham, Hardwicke, and Bed-

[1] A full account of this transaction is to be found in Lord Waldegrave's "Memoirs."

[2] For explanation of interior Cabinet, see pp. 231–233.

ford were on one side, Newcastle on the other. It was referred to the King. He decided in favor of Newcastle.[1] The most notable instance of a minister being compelled by the Crown to carry a measure against his will was when Walpole was obliged in 1721 to extort £115,000 from the House of Commons to make up an alleged deficiency in the Civil List. No such deficiency existed. And it was sorely against his will that Walpole resorted to this double dealing, but it was necessary if he would retain his position.

With the accession of the House of Hanover the sovereign ceased to make a practice of being present at Cabinet meetings.[2] Doubtless the ignorance of the first two Georges of the English language had much to do with this. But while the King himself was not present, it seems to have been not unusual for some minister to state his Majesty's opinion on the subject under consideration. Thus, when in September, 1736, there was a meeting of the Cabinet to consider the draft of a

[1] When, in 1743, Carteret submitted to the Cabinet the supplementary convention with Austria for approval, the Chancellor refused to put the seal to it. Carteret was angry, and said that the King would do it himself. It was discussed at several meetings, and finally there was a division, — a division the record of which has been preserved to us. Carteret was defeated by a vote of nine to four. The King was not appealed to. — Introduction to Philip Yorke's "Parliamentary Journal."

[2] See Appendix A to this chapter.

message to be sent to the Prince of Wales, forbidding his presence at St. James, Walpole stated the King's sentiments, and said that he believed they would admit of no softening.[1] At the Cabinet meeting to determine what arrangements should be made after the death of Pelham, we read that, "the Lord Chancellor further acquainted the Lords that his Majesty had been graciously pleased to open to him his own ideas as to what might be proper to be done on this occasion; and to direct him to communicate them to their Lordships, in order to his Majesty's being informed of their sentiments thereupon."[2] The result of discussions in the Cabinet was commonly communicated to the King, either by the first minister, or by the minister whose department happened to be concerned.

During this period, the disposition to hold the King responsible for measures almost died out. True, Lord Waldegrave does assert that it was the practice of most ministers, "to take all merit to themselves when measures were approved, and to load their master with those parts of prerogative which were most unpopular."[2] But the history of the times seems to indicate that Waldegrave's observations were hardly up to date. Indeed the English had rather gone back to the custom of the early Egyptians, who, Diodorus tells us, in a yearly dis-

[1] Harris, "Life of Hardwicke," Vol. II. p. 516.

[2] Waldegrave, "Memoirs," p. 91.

course, attributed all the good that was done in the land to the King personally, all the evil to his ministers. "It is true," said the Duke of Argyle, speaking in the House of Lords in 1739, "the nature of our Constitution requires that public acts should be issued out in his Majesty's name, but for all that, my Lords, he is not responsible."[1] When, toward the close of the Walpole administration, Parliament and the people became so incensed against the government, it was against ministers that the fury was directed, not against the King. The object was not to censure the sovereign, but to deliver him from bad counsellors. And unlike his predecessors in similar circumstances, Walpole made no attempt to throw the responsibility upon his master.[2] Later, when Hardwicke pointed out to George II. that by failing to support his ministers "he was spoiling his own business," the King replied: "I suppose that *you* will take care of that. If you do not or have not success, the nation will require it at *your* hands."[3]

As the minister and not the King was now held responsible for the policy, it followed that the minister rather than the King must write the speech from the

[1] "Parliamentary History," Vol. IX. col. 1138.

[2] He said in the House of Commons, in 1741, that, had he served a wicked, arbitrary master, he might throw all the responsibility of his action upon him, but such had not been the case.

[3] Harris, "Life of Hardwicke," Vol. II. p. 108. See Appendix B to this chapter.

throne outlining that policy. Before the Revolution the kings had often written their own speeches. If they sometimes asked the assistance of a minister, it was only as one man might ask the advice of another, without feeling the slightest obligation either to ask or to take it. William III., because of his inability to write good English, had some one compose his speeches for him, but the sense was his own. "The language," says Macaulay, "was Somers's. The sentiments were William's." When Anne came to the throne she found it the custom for the minister to write the speech, and she did not change it. As the result of her incapacity for public affairs, the ministers determined upon the sense as well as the words much more than they had ventured to do under William.[1] The Georges continued the custom of their immediate predecessors.[2] Toward the close of his reign,

[1] Yet they could not altogether disregard the personal wishes of the Queen. When the Occasional Conformity Bill was being projected, it was with difficulty that she was persuaded to express a wish that her subjects might live together in peace and good will. During the Whig administration of her reign Walpole was sometimes employed by Godolphin to compose the speech from the throne, while during the Harley-St. John ascendency, Swift was sometimes the speech-maker.

[2] It was on the question of the speech that it was decided that Walpole was to be the Prime Minister of George II. Compton, who had been designated to that office, was afraid that he would not be able to write a speech that would be acceptable to Parliament. He commissioned Walpole to do it for him. When it was

George II. was forced to give up even the right to criticise his own speech. When the first Pitt ministry came into power "the session of Parliament opened by a speech from the throne, which, by its style and substance, appeared to be the work of a new speech-maker. The militia, which his Majesty had always turned into ridicule, was strongly commended. The late administration was censured, and the uncourtly addresses of the preceding summer received the highest commendation. But though his Majesty found it necessary to talk this language to Parliament, in common conversation he made a frank declaration of his own sentiments: particularly being informed that an impudent printer was to be punished for having published a spurious speech, he answered that he hoped the man's punishment would be of the mildest sort, because he had read both, and so far as he understood either of them, he liked the spurious speech better than his own."[1]

In truth the people of England were coming again to believe that the King could do no wrong. But they were also coming to see that the only way by which he could

completed, the King was not satisfied with it, and wished certain changes made. Compton asked Walpole to intercede with the Queen that it might remain as it was. The Queen took this opportunity to point out to her husband that a man who could write the speech himself would be a better minister than one who was forced to employ some one else to do it for him.

[1] Waldegrave, "Memoirs," pp. 88–89.

do no wrong was by doing nothing at all. Yet this was not as yet clearly understood. When, in 1758, the Attorney General Pratt introduced a bill to extend the benefits of habeas corpus, it was thought a noble sight to behold the first advocate of the Crown appearing as the foremost champion against prerogative. For he was still regarded as the servant of the Crown rather than as the servant of Parliament.

Even statesmen failed to comprehend the security which they felt against any abuse of the royal power. "What I am going to say," writes Lord Hervey, "may sound paradoxical: but it is my firm opinion, though I know not how to account for it, that although money and troops are generally considered the nerves and sinews of all the royal power, and that no King ever had so large a civil list, or so large an army in times of peace, as the present King, yet the Crown was never less capable of infringing upon the liberties of the people than at this time; and that the spirit of liberty was so universally breathed into the breasts of the people that if any violent act of power had been attempted, at no era would it have been more difficult to perpetrate any undertaking of that kind."[1]

But if the statesmen and the people did not understand the change that was taking place, George II. occasionally gave evidence that he did. "Ministers are

[1] Hervey, "Memoirs," Vol. I. p. 319.

the king in this country!" he exclaimed. And again, "This Constitution may be a very good one for the people, but it is a very bad one for the King."

Appendix A

Some historians assert that neither George I. nor George II. was ever present at a Cabinet meeting. Others maintain that Lord Waldegrave gives an instance of the presence of George II. Now Waldegrave makes no distinct statement on the subject, but what he does say would imply that the King was not present. The Princess of Wales and her son had requested that Lord Bute be appointed Groom of the Stole. A Cabinet meeting was held to consider the matter. Waldegrave, as the Prince of Wales's governor, was present, and gives an account of it. "It was unusual," he says, "for the King himself to be present at such consultations; but he had already declared his opinion by speaking of the Princess's favorite, and her partiality toward him, with the greatest contempt." In the story which follows of the deliberations of this meeting, the King is nowhere mentioned as being present, or as giving an opinion.

We do, however, have an account of two Cabinet meetings at which George I. was present. Coxe gives us an anecdote which was communicated to him by Lord Sydney, Lord Townshend's grandson. Some evidence implicating Sir William Wyndham in a Jacobite

plot had been laid before the Cabinet. Wyndham's father-in-law, the Duke of Somerset, who was Master of the Horse, and a member of the Cabinet, offered to be responsible for him. The ministers were much afraid of offending a man of the duke's prominence, and one who was so influential in the Whig party. Lord Townshend, however, felt that, as the evidence against Wyndham was so strong, the government ought not to appear afraid to arrest such an offender, let his rank or connections be what they might. He accordingly moved that he be taken into custody. There was ten minutes of absolute silence, — no one venturing to agree with Townshend. Then two or three rose at the same instant to second his motion, and the arrest was decreed. The King, who had been present at the meeting, took Townshend's hand as he retired into the closet, and said, "You have done me a great service to-day."[1]

Townshend, in a letter to Stanhope, recalls to his memory that the King was also present at the Cabinet meeting which, at the time of the Pretender's landing in Scotland, advised that a body of foreign troops be taken into the English service. "You must, I am persuaded, remember as well as I," he says, "that upon the Pretender's landing in Scotland, no one imagining he would have engaged in such an undertaking without foreign assistance, the Parliament gave the King unlimited power

[1] Coxe, "Walpole," Vol. I. p. 71, note.

to raise what number of men he should think fit for the defence of the kingdom. And further, the Lords of the Cabinet Council, his Majesty being present, did unanimously advise and desire him to secure or take into his service a body of troops from abroad, and orders were accordingly given to the King's German ministers to hire the troops above mentioned."

Probably at the beginning of his reign, George I. expected to come to Cabinet meetings just as his predecessors had done. But finding his inability to understand the language rendered his presence useless, after attending a few times, he made a practice of absenting himself.

Appendix B

An interesting conversation took place between the King and Hardwicke in June, 1745. It has been quoted from more than once in the text, but since the whole conversation bears upon the subject, it is here inserted in full.

King. I have done all that you asked of me. I have put all my power into your hands, and I suppose that you will make the most of it.

Chancellor. The disposition of places is not enough, if your Majesty takes pains to show the world that you disapprove your own work.

King. My work! I was forced! I was threatened!

Chancellor. I am sorry to hear your Majesty use these

expressions. I know of no force. I know of no threats. No means were employed but what have been used at all times, — the humble advice of your servants, supported by such reasons as convinced them that the measure was necessary for your service.

King. Yes, I was told that I should be opposed.

Chancellor. Never by me, or by any of my friends. If changes were to be made in order to gain strength, such persons must be brought in as could bring that strength along with them. Otherwise it would have been useless. On that account it was necessary to take in the leaders with the concurrence of their friends, and if your Majesty looks round the House of Commons, you will find no man of business or even of weight left capable of conducting an opposition.

Pause — the King silent.

Chancellor. Sir, permit me to say the advantage of such a situation is a real advantage, gained by the Crown. Ministers may carry their position in Parliament, and frequently do so by a small nominal majority, and in this way they may struggle on long, but by the same way the Crown always loses both its lustre and its strength. But when things are put on a national foot by the concurrence of the heads of all parties, and yet so as not to disengage your old friends, then a real solid strength is gained for the Crown, and the King has both more power to carry his present measures for the sup-

port of government, and is more at liberty to choose and act as he pleases. Your ministers, Sir, are only your instruments of government.

King (*smiles*). Ministers are the king in this country.

Chancellor. If one person is permitted to engross the ear of the Crown, and invest himself with all its power, he will become so in effect. But that is far from being the case now, and I know of no man in your Majesty's service that aims at it. Sir, the world without doors is full of making schemes of an administration for your Majesty for the future, but whatever be your intention for the future, I humbly beg that you would not spoil your business for the present.

King. I suppose you will take care of that. If you do not or have not success, the nation will require it at your hands.

Chancellor. If right measures are not pursued, or proper care taken, then the nation will require it; but success is in no man's power, and that success must greatly depend upon your Majesty's showing a proper countenance and support to your servants, and to what you have already done.[1]

[1] Harris, "Life of Hardwicke," Vol. II. p. 108 *et seq.*

CHAPTER VII

PARLIAMENT UNDER THE FIRST TWO GEORGES

Increased importance of the House of Commons — Result of appointing Parliamentary leaders as ministers — Trained statesmen among the Commons — The Septennial Act — The power of the purse — Walpole makes the Lower House the scene of action — Whence necessity of always having a prominent minister in Commons — Newcastle tries to avoid this — Sir Thomas Robinson as leader of the Commons — Fox resigns as leader because of insufficient power — Murray refuses to accept the leadership — Resignation of Newcastle — Pitt without a party in the House of Commons — Waldegrave cannot find a leader for the Commons — Yet no large proportion of ministers in Commons — House of Lords nominates many members of House of Commons — Organization of Commons on party lines — Walpole the originator of party government — His methods — Organization of the opposition — Impeachments of Oxford and Bolingbroke the last political impeachments in England — Influence of the country on Parliament and the ministers — The Septennial Act — Popular excitement over elections of 1741 — Statesmen alarmed by popular influence on politics — Parliamentary reporting — Walpole withdraws Excise Bill out of deference to public opinion — Pitt the first popular Prime Minister.

TO proceed to a study of the increase in Parliamentary power during the first half of the eighteenth

century would, after the investigations of the last chapter, seem almost superfluous. For the advance which Parliament made during that period lay in the fact that it became more and more the minister-creating body, the government-making organ. This has been sufficiently noticed in dealing with the decline of the royal power. But while this, the main fact, has already been treated, there were certain changes in the constitution and organization of Parliament itself which deserve special attention; certain developments by which Parliament was assisted to gain its ascendency, and fitted to exercise it when gained.

The most important of these changes was the change in the relative position of the two Houses, — the elevation of the House of Commons, for all practical purposes, over the House of Lords. The importance of this, in connection with our subject, cannot be overestimated. Had the House of Lords continued in fact as well as in name the Upper House, the present system of Cabinet government could scarcely have been worked out. For the life principle of that system is the organization of the various forces of the country on party lines. It is obvious that the House of Lords, a permanent body, and in great measure divorced from popular interests, could not have been made the starting-point for such an organization.

At the period of the Restoration, and for a long time

subsequent to it, the House of Lords played a more important part in the state than did the House of Commons. This greater prominence of the Upper House was largely the result of superior merit. But ever since the Revolution the Commons had been gaining in strength. The custom of choosing ministers from among the Parliamentary leaders had much to do with this. For inasmuch as the Lower House was the changeable House, it was the temper of that House which was taken into consideration in making changes in the ministry.

Moreover, the Commons were beginning to train statesmen of their own, equal, if not superior, to any that were to be found in the House of Lords. This was partly due to the fact that they were so necessary. To reduce the mob which composed the Lower House to anything like order, strong men able to grapple with great questions and to control the violent passions of their fellows were needed. The demand produced the supply. But further, not only in the House of Commons, but throughout the country, the thirty years which followed immediately upon the Revolution were years of great political activity. One who lived in the early part of the reign of George I. has left it as his opinion, that at that time there was hardly a man in England who was not a freethinker in politics, and did not have some peculiar notions of his own, by which he dis-

tinguished himself from the rest of the community. "Our island," he says, "which was formerly called a nation of saints, may now be called a nation of statesmen."[1] Therefore, we are not surprised to find that many of the abler political leaders of this period sprang from the people. Still, the House of Commons was not as yet strong enough to keep the eminent men whom it had brought into public notice. They were soon transferred to the House of Lords. A great Commoner still looked forward to a peerage rather than to the leadership of his own House.

Under the first two Georges, there was a rapid increase in the power and importance of the Commons. The causes for this were mainly three, — the Septennial Act, the Power of the Purse, and Sir Robert Walpole. We will consider these in turn.

During the reign of William III. a Triennial Act had been passed. This had been done, not with the intention of decreasing the power of the House of Commons, but rather with a view to limiting the authority of the Crown. The object had been to prevent the King from keeping indefinitely a House of Commons which pleased him, — to make a repetition of the long pensioned Parliament of Charles II. impossible. Nor was the Septennial Act framed with the idea of increasing the power of the Lower House. It was introduced simply

[1] Freeholder, p. 63.

because the position of the House of Hanover was so precarious that it was not deemed wise to risk an election in 1717. The Tories argued that to repeal the Triennial Act would be to acknowledge that the King could not trust his people. That was exactly the state of the case.

Yet, whatever the motives of the promoters of the Septennial Act may have been, the result of that act was the elevation of the House of Commons to a more dignified position in the state than it could otherwise have secured. It gave a certain strength and stability to its action. It enabled it "to steer a firm course in domestic and foreign affairs."[1] Its members had a better opportunity of becoming trained statesmen than ever before. Those who were statesmen had a better chance to exercise their powers than they had had before. They were not hampered by the feeling that in a very short time the whole complexion of Parliament might be changed. They were able to give to business of state time and energies that had been given to electioneering.[2]

The second cause for the increased importance of the Lower House during this period was the power

[1] Hallam.

[2] Speaker Onslow frequently said that the Septennial Act formed the era of emancipation of the British House of Commons from its dependence upon the Crown, or upon the House of Lords. — Coxe, "Walpole," Vol. I. p. 75, note.

of the purse. This was nothing new. It was on their control over the national finances that the power of the Commons had always been based. But while the cause was not a new one, no one can read the history of the eighteenth century without perceiving that at that time it gained a new importance. Since the Revolution England had launched out on a scale of expenditure that seemed to her statesmen simply enormous. In 1699 Davenant calculated that £2,300,000 was as much taxation as the country could bear.[1] In 1738 Carteret complained that the estimates had reached the sum of £6,000,000.[2] Bolingbroke noted that between 1740 and 1748, Parliamentary aids had amounted to £55,000,000, "a sum," said he, "which will appear incredible to future generations."[3] Smollett thought that the sum raised in 1743 was "enormous"—£10,000,000.[4] In 1735, Lord Hervey gave it as his opinion that England could not possibly raise more than £1,000,000 beyond what she was then raising.[5] Even Walpole estimated that a debt of £100,000,000 was as much as the country could bear.[6] Under these circumstances the minds of men were fixed upon finances as never before. The

[1] Davenant, "Works," Vol. II. p. 283.

[2] Smollett, "History of England," Vol. III. p. 11.

[3] Bolingbroke, "Reflections on the Present State of the Nation."

[4] Smollett, "History of England," Vol. III. p. 120.

[5] Hervey, "Memoirs," Vol. I. p. 487.

[6] Horace Walpole, "Memoirs of George III.," Vol. I. p. 103.

cry of the age was a cry for economy. He was the best minister who knew best how to economize. The Excise Bill, the Land Tax, the public debt, the Sinking Fund, the encouragement of trade — these were the matters that were attracting attention. And these could be dealt with to advantage only in the House of Commons.

The third cause for the rise of the Commons in the eighteenth century, — a cause which was in some degree a result of the other two, was Sir Robert Walpole, — the presence in the House of Commons for twenty-one years of the most powerful minister that England had ever known. That which exalted Walpole's statesmanship above that of his contemporaries was, more than anything else, his appreciation of the Lower House. He saw that the Septennial Act had given this House sufficient stability to make it a possible and worthy scene for the career of a great minister. He realized the growing importance of financial questions, and that the House of Commons was the place for the solution of these. He recognized that his own ability lay largely in the direction of finances, and that, as the minister of the times, he must work in the House for the times. Then, too, he believed that *the* thing to be done just then was to please the people, — to reconcile them to the new dynasty. This could best be done through the House of Commons, which was in some sense repre-

sentative. Through it a strong party could be formed in the country of people who were attached to the interests of the reigning family.

Because of these considerations, Walpole decided to pass the whole of his political life in the Lower House. He was the first great minister who chose to remain a Commoner throughout his whole term of office. Indeed, during the Stanhope-Sunderland administration it had been thought sufficient to intrust the management of the House of Commons to one Craggs, an insignificant Secretary of State, who was spoken of as "Lord Sunderland's man."

By making the Lower House the scene of action, Walpole made it in effect the Upper House. Before his administration was over, men had adopted the fashion of speaking of the House of Lords with contempt. "Sir Spencer Compton," says Hervey, "had at the beginning of this reign (that of George II.) been kicked out of the House of Commons into the House of Lords."[1] When Hervey himself accepted a peerage, his father, Lord Bristol, wrote to him, "As I am a stranger to the many secret motives which must have influenced your choice suddenly to exchange the important House you was a member of for so insignificant a one as your friends and you have endeavored to make that you are to be translated to, I will not take it upon me to decide whether it

[1] Hervey, "Memoirs," Vol. I. p. 143.

was upon the whole well judged or not."[1] "When I have turned out Sir Robert Walpole," said Pulteney, "I will retire into that hospital of invalids, the House of Peers." That was what twenty years of Walpole's administration had made the Upper House, — a hospital of invalids. It was the respectable retreat of the fallen, rather than the honorable promotion of the victorious statesman. In the heyday of his power, Walpole declined a peerage. In the hour of defeat, he accepted the Earldom of Orford, as his acknowledgment that his political career was over. At the same time, Pulteney became Earl of Bath.[2] "Here are you and I, my Lord," said the newly created Earl of Orford to the newly created Earl of Bath when they met in the House of Lords, "the two most insignificant men in all England."

The House of Commons having had the first minister of the Crown for so long a time, it was discovered after the fall of Walpole that it would always be necessary to keep a prominent minister in that House. It is true that for a short time there was no such minister. Until Pelham succeeded Wilmington as First Lord of the Treasury in 1743, all the important offices were held by

[1] Hervey, "Memoirs," Vol. I. p 245, note.

[2] "And as popular Clodius, the Pulteney of Rome,
From a Noble, for power did Plebian become,
So this Clodius to be a Patrician shall choose,
Till what one got by changing, the other shall lose."

members of the House of Lords. This is certainly one reason for the feebleness of a ministry which came in under circumstances that ought to have made it the most powerful administration that England had ever known.

"Mr. Pelham died in 1754," writes Lord Waldegrave, "and our tranquillity both at home and abroad expired with him." The principal reason for the confusion following the death of Henry Pelham was that there was no leader left in the House of Commons. His successor, the Duke of Newcastle, was the first minister who had serious cause to regret that he had inherited a peerage. He wished to keep all power in his own hands. But a Prime Minister who is not a member of the House of Commons cannot do this. He must share his office with the leader of that House. This necessity Newcastle did not understand. Nor is it surprising that he did not. It had only just become a necessity. Newcastle wished but to follow in the footsteps of Walpole and Pelham. He did not aim at more power than they had enjoyed, but being a peer, it was not possible for him to have so much. "My brother never disclosed to any one how he managed the secret service money; no more will I," he said to Henry Fox, to whom he had applied to lead the House of Commons. He did not realize how different his brother's position had been from his. As Pelham had been not only First Lord of the Treasury, but

leader of the House of Commons, there had been no reason for his disclosing to any one the use that he made of the secret service money. Fox very properly refused to serve on Newcastle's conditions. He pointed out that it would be impossible for him to be an efficient minister unless he had full power. The duke, not willing to give up anything which he thought a Prime Minister entitled to, set himself in direct opposition to the current of history. He appointed to the vacant office Sir Thomas Robinson, a diplomat ignorant of the very language of a House of Commons controversy. He had been out of England twenty years, and these were the years in which the House of Commons had been gaining so immensely in importance. But it was hoped that he might be the Duke of Newcastle's man, as Craggs had been Lord Sunderland's man. It soon appeared that times had changed, and that this hope was destined to be disappointed. "Sir Thomas Robinson lead us!" said Pitt. "The duke might just as well send his jack-boot to lead us!" Pitt, who was Paymaster General, and Fox, who was Secretary at War, joined in an attack upon their imbecile leader, Pitt openly attacking, Fox sarcastically defending him. No wonder that when the latter pretended to excuse the leader of the House of Commons on the ground that, as he had been so long out of England, nothing save total ignorance and inexperience of matters then before the House could be

expected of him, "Sir Thomas did not like it."[1] Night after night the two great Parliamentary debaters assisted the government leader to turn himself into ridicule. Night after night the other members went to laugh and to be entertained. Fox complained in his letters that there was an attempt to utterly annihilate the power of the House of Commons, that it was evident that the Duke of Newcastle wished to give the Lower House no share in the government, and that what tended to lessen the Commons must ultimately tend to lessen the Lords. Pitt bade the House beware lest it become an altogether insignificant body, sitting only to register the edicts of one too powerful subject. To Newcastle, he said: "Your Grace's system of carrying on the House, I believe, will not do, and while I have life and breath to utter, I will oppose it. There must be men of efficiency and authority in the House, a Secretary and a Chancellor of the Exchequer at least, who should have access to the Crown; habitual, frequent, familiar access, that they may tell their own story to do themselves and their friends justice, and not be the victims of a whisper."

The attempt to exclude all great Commoners from office was killed by ridicule. Finding it impossible to get on without an efficient leader in the Commons, Newcastle again offered the position to Fox, but with

[1] Letter from Fox to Hartington in Appendix to Waldegrave's "Memoirs."

even less power than before. Strangely enough, Fox accepted this time, and then it was demonstrated that it was not enough even to have an able leader in the House. He must also be possessed of sufficient power. In October, 1756, Fox gave up in disgust. Newcastle then hoped that the Attorney General, Murray, the only man of first-class ability in the Commons who sided with the administration, might be induced to take the vacant place. But Murray looked forward to professional rather than to political distinction. Unfortunately for Newcastle's plans, just at this time, Sir Dudley Ryder, the Lord Chief Justice, died. Murray demanded his place with a peerage. The Prime Minister was in despair. He felt that if his ablest supporter in the House of Commons were removed, his hold upon that House was gone. He offered Murray the Tellership of the Exchequer, the Duchy of Lancaster for life, — a pension of £2000, a pension of £6000, — anything, if he would but stay in the Commons. But Murray was firm. If he was not made Chief Justice, he would not remain Attorney General, nor would he continue to give the government assistance in the Commons. He would be Chief Justice or nothing. So he got what he wanted, and the administration lost its last support in the Lower House. Other attempts were made to arrange matters, but they failed. In November, 1756, Newcastle was obliged to give up office, simply because he could not

find a man to lead the Commons. There was no particular objection to him as Prime Minister. The trouble was that when the Prime Minister is a peer, two men are necessary. When he is a Commoner, one is sufficient.

With the fall of Newcastle the first Pitt ministry began. That too fell, largely because it could not obtain vigorous support in the Commons. Pitt was the favorite of the people, but he could scarcely be said to have even a party in the people's House. His dismissal was indeed an act of personal sovereignty on the part of the King, but one which never would have been ventured upon, had the minister possessed an enthusiastic following in the Lower House. Thus it was proved that even conspicuous ability and full power were not sufficient to secure success to the leader of the House of Commons. He must have a following in that House.

It was at this juncture that Lord Waldegrave's attempt to form an administration was made, — an attempt which was not given up until it was discovered that it was impossible to secure any one to lead the Lower House. That was what decided the matter. "It is useless to give ourselves any further trouble," the Duke of Bedford said, "for we cannot go on without a principal actor in the Commons, and Fox has not spirit enough to undertake it."

Yet while it was coming more and more to be felt

that a prominent member of the Cabinet should be in the House of Commons, it was not thought necessary that any large proportion of the ministers should be there. We constantly find the phrase "Lords of the Cabinet Council." And the name was still appropriate, for there were very few in that Council who were not Lords. In 1740, with the exception of Walpole, Sir Charles Wager was the only Commoner in the Cabinet.[1] The circumstances connected with his appointment are interesting, as showing the prejudice that still existed against giving high office to a Commoner. In 1733 Walpole proposed that Wager be made First Lord of the Admiralty. The King objected to the nomination, saying that the position ought to be given to a man with great family connections. Whereupon Wager produced a purely imaginary genealogy in support of his claims! So little could real service, unless it was, as in the case of Walpole, almost indispensable, count against a pedigree. In the Pelham Cabinet, as it was constituted in 1744, there was but one Commoner, Pelham himself, and he was of a noble family, the son and brother of peers.

It must also be observed that the loss of power on the part of the House of Lords was more formal than

[1] See the Appendix to Hervey's "Memoirs." Sir John Norris is also mentioned as being "called in as an auxiliary, whenever anything was under deliberation, relative to our present maritime war with Spain."

real. It was rather a change in the method of exercising power than an actual losing it. For though the Lords had not the direct influence that they had formerly possessed, they made up for it to a very great extent by nominating so many members of the House of Commons. Yet it was a great advantage to the Commons that even formal power should have fallen into their hands. For when the corrupt influences of the age were done away with, they found themselves possessed of the real thing of which they had so long possessed the show.

Hardly less important than the increasing prominence of the House of Commons was the thorough organization of that House on party lines, which was both a consequence and a cause of that increasing prominence. Parliamentary government without party government had been found extremely difficult. It was to render Parliamentary control easier by making the action of the House of Commons less uncertain that Walpole, it may almost be said, invented party government. This had hardly existed before his day. The government, up to that time, had been in the hands of a number of ministers, owing their appointment in the main to the favor of the Crown, although at times the hand of the sovereign had been to a certain extent forced. As appointment had depended upon the royal favor, so maintenance in office had depended upon the retaining

that favor, — plus the absence of any violent opposition in Parliament. As there had been a tendency for ministers to agree in political matters, that is, to be of the same party, there had also been a tendency for support and opposition in Parliament to be on party lines. But this latter had not been more than a tendency, and might have been diverted. As yet no man felt obliged to vote with the ministers simply because they were the leaders of his party. For the King still ruled as well as reigned. The ministers were still his servants. And so long as executive and legislative continued in great measure to be distinct bodies, so long it was not necessary that the ministers should be the acknowledged leaders of an organized, disciplined party, comprising a majority of the members of the House of Commons, following their leaders in all Parliamentary contentions, as a soldier follows his commanding officer on the field. Thus, although political unanimity in the Cabinet would probably have become necessary even though we suppose the ministry to have continued to depend upon the King, party government, as party government is now understood in England, would not have been a necessary consequence of that unanimity. President Washington found a Cabinet composed of leaders of the two parties impracticable, but it has never been thought necessary that the party of the President and Cabinet should have a majority in either of the

Houses of Congress, — still less that they should in any sense exercise control over that majority. It is only a minister who feels that he is dependent upon Parliament, that in order to maintain himself in power, he must secure not only the negative, but also the positive, support of the House of Commons, who has need of a Parliamentary army behind him. A minister of the Clarendon type cannot stand in the face of violent Parliamentary opposition, but he does not require vigorous Parliamentary support. Not until the minister became the real ruler of England, — not until the principal business of Parliament became the making and unmaking of these temporary rulers, — was it necessary for every member of Parliament to be active in the support either of the minister or of the opposition.

Because Walpole was the first minister who throughout a long administration strove consistently to rest his power on a Parliamentary basis, he was also the first minister who, through the House of Commons, began to organize all the forces of the country on the principles of party. To obtain his majority, he saw to it that the Whig nobles and other wealthy men in the party spent their money freely so as to secure the small and corrupt constituencies. This gave the party considerable control over the borough representation, while of the representatives of the counties, nine-tenths were relatives or dependents of the great Whig families. But

more than this, the whole course of legislation was managed with a view to making the government popular, and thus attracting votes. The minister's success in dealing with matters of trade and commerce secured him the votes of the moneyed interests of the country. His reduction of the land tax conciliated the landed interests, which were at first hostile to him. And thus by their own efforts, both inside and outside of Parliament, the Whigs, under Walpole, won the support of the country.

When the forces had been secured, the work, so far from being ended, had only just begun. Organization must be insisted upon. Discipline must be maintained in the ranks. Long before he became first minister of the Crown, Walpole showed that he understood the advantages of solidarity of party. When Anne began to dismiss her Whig ministers, he pointed out to his chiefs that if the whole party would unite against these dismissals, and all Whig office-holders would hand in their resignations, the Queen would find it impossible to carry on the government, and would be obliged to reinstate the party as a whole. The principle which he advocated so early, he practised and extended when he came into full power. "Whig it with all that will parley," he said to Pelham, "but 'ware Tory." It was his policy to guard against the defection of the most insignificant individual in the smallest matter. "The heads of parties are like the heads of snakes," said Pulteney, "which are

often carried on by their tails." Because Walpole realized this, he was not above giving proper attention to the tails. "He got time enough," says Hervey, "to go about, to talk to people, to solicit, to intimidate, and perhaps to bribe."

In the matter of bribery it is probable that his moral guilt was neither greater nor less than that of some of his predecessors, and some of his successors. But he took more pains about it. He bribed more systematically and more effectively. Yet Burke's judgment remains true. "He was far from governing by corruption. He governed by party attachments."[1] He did not spend money in winning over votes from the opposition, but in keeping his own supporters. He said himself that it was necessary to bribe men not *against* but *for* their conscience. So far from bringing men over from the ranks of the opposition, he was constantly driving them into opposition. He wished to retain those only in his camp who were willing to go all lengths with him. At the end he was not the leader of the Whig party, for all the Whig leaders except himself were in opposition. He was rather the leader of the Walpole party. The business of that party was to support Sir Robert Walpole. Its members were to vote for all that he wished, and this whether they approved of particular measures or not. For the object was not to legislate, but to support the

[1] Burke, "Appeal from the New to the Old Whigs."

minister. Before the session of 1742, he told his followers that no quarter could be given in election petitions. A friend expressed scruples. He answered, "You must choose between Walpole and Pulteney."

For the present mode of Parliamentary government, it is quite as essential that there should be an opposition as that there should be a ministry. For the existence of a vigorous opposition is the only safeguard against despotism. Therefore not less important than Walpole's careful organization of his own party was the careful organization of the opposition, which was indeed a result of it. For it was soon perceived that organization could be opposed only by organization.

To the superficial observer it looks as though the men who so systematically endeavored in the reign of Anne to get Harley and St. John out of the Cabinet, and Sunderland and Somers in, might have some claim to the title of an opposition. But a closer examination will show that they formed no opposition in the modern sense of the word. For they were an opposition, not to the ministry, but to the Queen. Some of them were in the Cabinet at the time, and some of them were out of it.

As Walpole was the first government leader in the House of Commons, so he was the first leader of an organized opposition. It was Walpole who, after the fall of Townshend in 1717, first made a consistent business of opposition. He called his followers together, and

instructed them as to how they were to vote, not so much with reference to particular measures, as with a view to defeating the government. But though Walpole was really the first leader of an opposition, he rejoined the government forces so soon that we do not think of him in this way. The first opposition which comes prominently into view was that which was organized for the purpose of overthrowing Walpole. As we have seen, the Parliamentary leaders of this opposition were Carteret and Pulteney. Outside of Parliament it was aided and abetted by the counsels of Bolingbroke. "They who affect to head an opposition," wrote the latter, "or to make any considerable figure in it, must be equal at least to those whom they oppose; and I do not say in parts only, but in application and in industry, and the fruits of both, — information, knowledge, and a certain constant preparedness for all the events that may arise. Every administration is a system of conduct. Opposition, therefore, should be a system of conduct likewise, — an opposite, but not a dependent system. . . . According to the present form of our Constitution, every member of either House of Parliament is a member of a national standing council, born or appointed by the people to promote good government, and to oppose bad government; and if not vested with the power of a minister of state, yet vested with the superior power of controlling those who are appointed such by the Crown.

It follows from hence that those who engage in opposition are under as great obligations to prepare themselves to control, as they who serve the Crown are under to prepare themselves to carry on the administration."[1]

Owing to the fact that there was only one thing on which the members of this opposition could agree, — a desire to overthrow Sir Robert Walpole, — the difficulties of organization were great. In 1741 Dodington wrote, "We are but a militia with some spirit at best; they disciplined troops, regularly paid, joining in the principles as well as the service of their master; taught to think, and making great proficiency in their learning that everything that is advantageous is right."[2] And Chesterfield wrote at about the same time: "I entirely agree with you that we ought to have meetings to concert measures some time before the meeting of Parliament. But that I likewise know will not happen. I have been these seven years endeavoring to bring it about, but have not been able. Fox-hunting, gardening, planting, or indifference having always kept our people in the country until the very day before the meeting of Parliament. Besides, would it be easy to settle who should be at those meetings? If Pulteney and his people were to be chosen, it would only be informing them beforehand, what they should either oppose or defeat, and if they were not

[1] Bolingbroke, "Spirit of Patriotism."

[2] Appendix to Dodington's "Diary."

there, their own exclusion would in some degree justify or at least color their conduct."[1]

Yet while the opposition was composed of many factions agreed only on one point, there was an amount of organization in it which had been unheard of in any previous opposition. It overthrew Walpole in 1742 by presenting a solid phalanx to the enemy. After the fall of Walpole, there was a meeting of three hundred members of Parliament at the Fountain Tavern to consider their next move. This number included all the prominent members of the late opposition, except the monarchical and aristocratic Carteret, who gave as an excuse for his absence that he never dined at a tavern.

With the development of the party system we have to notice another change, which has already been referred to incidentally, — the gradual evolution of a quiet and peaceable method of deposing a minister, by action of Parliament. Up to this time, only by impeachments, or, at the least, addresses to the King, could such a result be accomplished. But the day of violent measures had now happily gone by forever. The reign of George I. opened indeed with several impeachments. But these may, in some measure, be excused, when we consider that there certainly had been more provocation than on former occasions. Moreover, no blood was shed, and there were few who had any desire to

[1] Coxe, "Walpole," Vol. III. p. 580.

proceed to rigorous measures. The political impeachments of Oxford, Bolingbroke, and their friends were the last to disgrace the annals of England. When, in 1741, an address was moved to the King, asking him to dismiss Sir Robert Walpole from his counsels, even the enemies of the minister pointed out the injustice of such an action, unless accompanied by definite charges. Said Edward Harley, brother of the Lord Treasurer Oxford, "I am, sir, glad of this opportunity to return good for evil, and to do that honorable gentleman (Walpole) and his family the justice which he has denied to mine."[1] Walpole finally resigned simply because he could not command a majority in the House of Commons on so small a matter as an election petition. An attempt made after his fall to impeach him failed. Since then not even an attempt has been made to impeach a minister on political grounds. Indeed, a political impeachment would now be a glaring inconsistency. For the minister can do nothing except as Parliament sanctions his action. How, then, can the House of Commons impeach him for what it has not passively allowed, but actively promoted?

It remains to consider the relationship which existed at this time between the country, Parliament, and the ministers. One of the arguments against the Septennial Act was that the longer duration of Parliaments

[1] "Parliamentary History," Vol. XI. col. 1269.

would put the people out of touch with their representatives. There probably was some truth in this. The representatives came to London to live. Therefore it was not possible for them either to influence their constituents, or to be influenced by them, in the same way as when they lived among them. Bribery was probably increased — bribery both of the electors, and of members of Parliament. In consideration of the longer term of office, candidates were willing to pay a higher price for their seats than before. Because it was less easy for constituents to hold their members responsible for their votes than formerly, the members themselves became more accessible to bribery. And it is unnecessary to point out that a House of Commons which is controlled largely by bribery does not reflect the opinions of the people.

Yet this was an age in which public opinion without doors affected the government in a way in which it had never done before. For what the Septennial Act took from the people with one hand, it gave back with the other. It gave the House of Commons, the agent through which public opinion must act, a dignified position in the state. Had the Lower House continued to be the subordinate assembly that it was while the Triennial Act was in force, though the people might have moved it more, it does not follow that they would have influenced the government as a whole more.

Moreover, the increased importance of the people's House gave the people an increased interest in that House. The elections of 1741 were the first upon which it was distinctly understood that the fate of an administration depended. For the first time men voted, not so much with the object of getting particular candidates into Parliament, as with a view to reëlecting or deposing the Prime Minister. Hence the excitement was intense. A Frenchman, who was travelling in England at the time, gives an amusing account of what he was called upon to endure as a result of having chosen election time for his visit. "I am now," says he, "at Northampton, a town where there are some of the best inns in England, but where I am lodged at one of the worst. This has happened, because I fell in with a noble peer, who was going like myself to London, and who insisted upon our travelling together, which I readily agreed to, not knowing that I should pay dearly for the honor of his company. Each party in this nation has its peculiar inns, which no one can change unless he wishes to be called a turncoat. . . . Our dinner consisted of a tough fowl and a liquid pudding. This was not the worst. It seemed at one moment as if the innkeeper's hatred of the minister would give him the privilege of sitting down at the same table with ourselves. The least we could do was to drink from the same glass that he used, to his health and the health

of all those at Northampton that are enemies of Sir Robert Walpole (against whom I have not the slightest cause of quarrel), and friends of our innkeeper (with whom, as you see, I have no great reason to be pleased). Nay, more, we had patiently to listen to all the arguments of this zealous member of the opposition, for it was not the innkeeper that paid court to My Lord, but My Lord that paid court to the innkeeper. The latter loudly complained that his party in Parliament was far too moderate. 'How shameful!' he cried in a passionate tone; 'if I were a peer like your lordship I would insist that all ministers should be expelled from both Houses, and that the militia should be disbanded, or else (here he added an oath) I would set fire to the city of London from end to end!' With these words he angrily wished us good night. After he was gone, 'Sir,' said my noble friend, 'you must not be surprised at all this. That man is of more importance in the town than you can possibly imagine. His understanding is so much respected by his neighbors that his vote at an election always decides theirs, and our party are bound to show him all possible attention.'"[1]

The increasing influence which the people were exerting upon administration and legislation was looked upon by many with no small feeling of alarm. In an essay

[1] "Lettres d'un Français," Vol. I. p. 257–259, ed. 1745. Quoted by Stanhope, "History of England," Vol. III. pp. 88–89.

entitled "Faction detected by the Evidence of Facts," the writer, who was perhaps Lord Egmont, dwells upon what he terms "the republican spirit that has suddenly arisen." He notices as a new and alarming development of that spirit that the instructions drawn up by some of the electors of London to their representatives prescribed the measures that were required, and assert or imply "that it is the duty of every member of Parliament to vote in every instance as his constituents should direct him in the House of Commons," contrary to "the constant and allowed principles of our Constitution, that no man after he is chosen is to consider himself as a member for any particular party, but as a representative for the whole nation." He complains that "the views of the popular interest inflamed, distracted, and misguided as it has been of late, are such as they were never imagined to have been," — that "a party of malcontents, assuming to themselves, though very falsely, the title of the people, claim with it a pretension which no people could have a right to claim, *of creating themselves into a new Order in the State, affecting a superiority to the whole Legislature*, insolently taking upon them to dictate to all the three estates, in which the absolute power of the government by all the laws of this country has indisputably resided ever since it was a government, and endeavoring in effect to animate the people to resume into their own hands that vague and loose authority, which exists (unless in

theory) in the people of no country upon earth, and the inconvenience of which is so obvious, that it is the first step of mankind, when formed into society, to divest themselves of it, and to delegate it forever from themselves."[1] Lord Hervey declared in Parliament that if things went on as they had begun, he expected to "see the speaker at Charing Cross or the Stock Market, proposing laws to a tumultuous mob, who, like the Roman plebeians, would enact, rescind, promulgate, and break laws, just as the caprice of their present temper should instigate and direct."[2]

The political tendencies of the people were so feared by the Commons, that whereas formerly they had wished to keep debates a secret from the King, they now strove to keep them from the knowledge of the people. In 1728 the House of Commons passed a resolution, declaring that to print any part of its proceedings was a breach of privilege.[3] But the public taste for Parlia-

[1] Quoted by Lecky, "History of England," Vol. I. p. 467.

[2] Hervey, "Memoirs," Vol. I. pp. 203–204.

[3] There were a few fragmentary reports as early as the reign of Elizabeth, but the first systematic reporting began in the Long Parliament, which in 1614 permitted it in a certain specified form, — the "Diurnal Occurrences of Parliament," which was continued until the Restoration. At the Restoration all reporting was forbidden, but the votes and proceedings of the House were printed by the directions of the speaker. Andrew Marvell sent reports to his constituents from 1660 to 1678. Locke wrote a report of a debate

mentary debates continued to develop. An enterprising bookseller named Cave found the means of gratifying it. With a friend or two he was in the habit of sitting in the gallery of the House. They would take down the names of the speakers, and the points of the speeches. Then they would retire to a coffee-house, compare notes, and write out their reports a little more fully. The next thing was to find a literary man who would embellish and adorn the tale. These curious, misleading, but generally entertaining reports were published in the *London Magazine* and the *Gentleman's Magazine*. They were read by the people with the utmost eagerness, and in many cases were implicitly trusted. How far they were entitled to this confidence may be gathered from the confession of the conscientious Dr. Johnson, who was at one time employed by Cave to put them into literary form. "I took care," he says, "always to put Sir Robert Walpole in the wrong, and to say all that I could against the Hanoverian

in 1675, but it was burned by the hangman. Shaftesbury also wrote an occasional report. Sometimes a news-letter published an outline of a debate, but this was in defiance of the resolutions of the House. In the latter years of Anne short reports appeared every month in Boyer's *Political State of Great Britain*, and under George I. in the "Historical Register." In 1728 Cave was brought before the House, and imprisoned for having furnished Robert Raikes with accounts of the proceedings for the use of the *Gentleman's Magazine*. See Lecky, "History of England in the Eighteenth Century," Vol. I. pp. 479–480.

territory." When the good doctor discovered that people believed the speeches to be genuine, he refused to have anything more to do with them.

The subject of Parliamentary reporting was again brought before the House of Commons in 1738. It was in vain that Sir William Wyndham urged that the only objectionable feature of the reports in circulation was their inaccuracy. "No gentleman ought to be ashamed," he maintained, "that the world should know every word he speaks in the House. The public might have a right to know something more of the proceedings of the House than what appears from the votes." He found no support. The bare idea that gentlemen of the House of Commons should be held responsible without doors for what they might happen to say within was shocking. And that was what the publication of debates must inevitably lead to. So again there was a unanimous resolution "that it is a high indignity to, and a notorious breach of, the privileges of this House to publish the debates, and this quite as much during the recess as during the sitting of Parliament."[1] Offenders were threatened with severe penalties. Cave, however, was not so easily vanquished. He continued his reports under the title of "Debates in the Senate of Great Lilliput." Instead of printing the initials and final letters of the names of the speakers, he gave them fanciful names. Moreover, the

[1] "Parliamentary History," Vol. X. cols. 800–812.

London Magazine was at the same time publishing what it called "Debates of the Political Club."

In spite of the meagreness and misleading character of the reports, the people were able to obtain a fairly good idea of what Parliament was doing, — and to exert a considerable influence in shaping its course. The general interest in public affairs is manifest in the numerous political ballads of the time, and in the libels on administration which became so common. Except in extreme cases, it was the policy of Walpole to pay no attention to these. He who was so severe in enforcing discipline in the House wisely decided not to interfere with the free expression of public opinion outside. It was his boast that never before had a government suppressed so few libels, although never before had a government received so much provocation.

It was out of deference to public opinion that Walpole gave up the one great measure of his administration, — the one notable exception to his general rule of leaving things as he found them. In 1733 he introduced an Excise Bill into the House of Commons. It was vigorously opposed there, yet there was little doubt but that it could be carried. But Walpole soon perceived that the temper of the country was such that, even if his bill became law, it could not be enforced without bloodshed. He refused, therefore, to let it come to a final vote, not for fear that it might not be carried,

but for fear that it might be carried. "I will not," he said, "be the minister to enforce taxes at the cost of blood." A modern Prime Minister would have resigned rather than give up the most important measure of his administration. But Walpole's position was not that of a modern Prime Minister. He had not suffered a defeat in the Commons, nor was he in danger of doing so. No modern Prime Minister would, out of deference to the people, give up an important measure which he was able to get through the House of Commons. But no modern House of Commons would be willing to pass a measure, to prevent the execution of which the people would be ready to shed their blood.

It was this new prominence of the people which made the career of William Pitt possible. "The eyes of an afflicted, despairing nation," says Glover, "saw in this private gentleman, without birth and without fortune, the only saviour of England."[1] King, Lords, and Commons were against him, but the people were with him. He and the people came into power together. He was appointed by neither King nor Parliament, but by the people, the first and the only minister who has been in such a position. Later ministers have represented public opinion no less than he, but they have been appointed by Parliament acting as the agent of the people, not by the people acting against Parliament. "Sir," said

[1] Glover, "Memoirs," p. 97.

George II. to Pitt, "you have taught me to look for the sense of my people in another place than the House of Commons."

Our investigations must have convinced us that at the period which we have now reached the position of a Prime Minister was a most complicated one. It had been comparatively simple when he was responsible to the King alone. It became simpler again when there was no direct responsibility to any one save the House of Commons, through which the voice of the people might make itself heard. But the minister who, in the eighteenth century, was obliged to please the King, both Houses of Parliament, and the people at large, all four of whom were liable to be at variance, found it no easy task.

CHAPTER VIII

INTERNAL RELATIONS OF THE CABINET UNDER THE FIRST TWO GEORGES

Rapid development of the office of Prime Minister — No Prime Minister under George I. — The firm Townshend and Walpole — Intrigues of Carteret — He loses his position as Secretary of State — The firm becomes Walpole and Townshend — Resignation of Townshend — Supremacy of Walpole — Yet he feels obliged to disclaim the title of Prime Minister — Wilmington First Lord of the Treasury, but not Prime Minister — Newcastle disputes Pelham's right to the premiership — Opposition of Carteret to Pelham — First use of the noun Premier — The Pelham ministry a triangular arrangement — Pitt shares the power with Newcastle — The Cabinet does not resign in a body — The Cabinet as a whole not always consulted — Lack of unanimity — Walpole strives to enforce unanimity.

WHEN we come to consider the internal relations of the Cabinet during this period, we notice, in the first place, that the inability of the foreign kings to govern necessitated a rapid development in the office of Prime Minister. For in order that business might be transacted to advantage, either in the Cabinet or in Parliament, an active, recognized leader was necessary.

Yet throughout the reign of George I. it would hardly be correct to say that there was such an official as a first minister.[1] While the King was still on the Continent, Townshend was appointed Secretary of State with power to choose his colleagues. This power was doubtless given to him because of the King's ignorance of English politics and English statesmen. It designated him as first minister as no minister had ever been thus designated before. But Townshend was not at all calculated to fill such a position. His abilities were but mediocre, and in the Cabinet of which he was supposed to be the leader there were a number of statesmen abler than he.

The dissensions in this Cabinet, and its consequent remodelling in 1716 and 1717, have already been recounted. These dissensions were inevitable. For nothing was to be feared from the Tories. And in political life, where the enemy is so weak that the necessity of concentrated action against it is not felt, disagreements

[1] Nor was there any intention that there should be one. "The breaking down of the great offices of state by throwing them into commission, and last among them of the Lord High Treasurership after the time of Harley, Earl of Oxford, tended, and may probably have been meant, to prevent or retard the formation of a recognized chiefship in the ministry, which even now we have not learned to designate by a true English word; though the use of the imported phrase 'premier' is at least as old as the poetry of Burns." — GLADSTONE in *North American Review*, Vol. 127, p. 206.

commonly arise among friends. Not only were these divisions natural, but they were also beneficial. To the Whigs, their numerous leaders were a source of weakness. That the party should attain the unity and strength required for efficient action, it was necessary that some of these leaders should be either killed politically, or forced into opposition.

The dismissal of Townshend and the resignation of Walpole left Stanhope and Sunderland to divide the power between them. They were able to get on with a certain amount of amity, but neither could be considered first minister. They formed a partnership in which neither party would allow any special superiority to the other.

It is customary to date the administration of Sir Robert Walpole from his return to power in 1721. Yet Walpole had been in office for some years before it was correct to speak of him as Prime Minister. It was, as he himself said, a firm to which the government of England had been intrusted, and at first this firm was Townshend and Walpole, rather than Walpole and Townshend. For office was still dependent chiefly upon Court favor, and it was Townshend who had this favor.

It was some time before the ascendency even of the firm was undisputed. Carteret was Townshend's colleague as Secretary of State. His appointment had been the last official act of Sunderland. He therefore re-

garded himself as the representative of the Sunderland faction of the Whig party. He declared that inasmuch as he did not owe his appointment to Townshend, he did not intend to submit to his guidance. It was his aim to direct the entire foreign policy of England. Owing partly to the fact that he alone among the ministers could speak German, and partly to the fact that his foreign policy agreed with his master's, he had the ear of the King. But through the failure of an intrigue to ingratiate himself still further with the Court, he lost his position, and Townshend and Walpole were rid of a dangerous rival. The King's favorite mistress, the Duchess of Kendal, was the friend of Townshend, and through Townshend, of Walpole. To balance this, Carteret strove to secure Madame de Platen, the other mistress. This lady had a niece who was to marry the young French nobleman, Count de St. Florentin. Carteret determined to win the favor of Madame de Platen, by an attempt to secure from the French government a dukedom for the father of the bridegroom elect. He therefore instructed the British envoy at Paris, Sir Luke Schaub, to do what he could in that direction. Schaub was unsuccessful. His failure was due largely to the interference of Bolingbroke. It is interesting to observe that the man who was to be the ablest opponent of the system which Walpole was to build up was instrumental in removing the chief obstacle in the way of Walpole's

advance to power. After ten years' exile in France, Bolingbroke was longing to return to England, and to his family estates. To accomplish this, he strove to gain the good will of the Duchess of Kendal, by defeating the plans of her rival. His representation at the French court of the state of politics in England brought about the refusal of the dukedom. Schaub was recalled, and Carteret exchanged his office of Secretary of State, with the constant access which it gave him to the royal presence, for that of Lord Lieutenant of Ireland.

Their one formidable rival having been thus disposed of, Townshend and Walpole continued to divide the government between them. Still each attended strictly to the business of his own department. Townshend managed foreign affairs, Walpole the finances, nor did the one concern himself much about the proceedings of the other. But inasmuch as financial affairs were at that time uppermost in the public mind, there was a tendency to look upon Walpole as chief minister, in spite of the fact that Townshend had the Court favor. And since Walpole had to raise the money necessary for the carrying out of Townshend's foreign policy, he gradually came to realize that he must have full information with respect to that policy, and that, to a certain extent at least, he must have control of it. "I believe," writes Lord Hervey, "that the first dispute between Lord Townshend and Sir Robert Walpole began upon making the treaty

of Hanover,[1] which Sir Robert Walpole always disapproved, and would have prevented, though he was forced, when the measure was once taken, either to maintain it, or to break entirely with Lord Townshend. Till the making of this treaty Sir Robert Walpole never meddled at all with foreign affairs. They were left entirely to Lord Townshend, whilst Sir Robert's attention was confined solely to Parliamentary and domestic concerns. But when Sir Robert found the clamor against the treaty so great at home, and the difficulties so many in which it entangled us abroad, he began to think it necessary to take some cognizance of what gave him immediately more trouble than all his own affairs put together. For though Lord Townshend only was the transactor of these peace and war negotiations, yet the laboring oar in that consequence always fell upon Sir Robert. It was he who was forced to stand the attacks of Parliamentary inquiry into the prudence of making these treaties. It was he who was to provide the means necessary to support them. On him only was the censure of entering into them, and on him lay all the difficulty of getting out of them."[2]

Just as soon as a change was made in the relative positions of the partners, the partnership was no longer workable. "As long as the firm was Townshend and Walpole," said Sir Robert, "the utmost harmony pre-

[1] In 1725. [2] Hervey, "Memoirs," Vol. I. pp. 110–111.

vailed, but it no sooner became Walpole and Townshend than all went wrong." With the accession of George II., the necessity of depending upon Townshend for Court favor ceased to exist. For while the Duchess of Kendal had preferred Townshend to Walpole, Queen Caroline preferred Walpole to Townshend. The consequence was that Townshend was made to feel that his position was thoroughly secondary. In 1729 he resigned.

From that time Walpole was supreme. With the Court, the Parliament, and the country with him, he was able to consolidate his power as no minister had ever done before. At times it seemed as though he were not only Prime Minister, but the whole Cabinet. Pulteney declared that he allowed his colleagues but little more influence than if they had been clerks, and was always seeking to displace them. "Sir Robert," said the old Duchess of Marlborough, "never likes any but fools, and such as have lost all credit." Certain it is that he never allowed a man of abilities such as might rival his own to enter the Cabinet, and the ablest men who were in it he displaced. For this he has been much censured. Yet the strongest and most efficient Cabinets have always been those in which there has been the greatest distance between the Prime Minister and his colleagues. Cabinet unity, upon which Cabinet efficiency so largely depends, would seem to be conditioned upon this.

Yet, while Walpole exercised such power as none of his predecessors and few of his successors have exercised, in deference to the feeling of the time he felt obliged to resent the title of Prime Minister as an imputation. When, in 1741, the Peers moved an address to the Crown for his removal, the principal charge brought against him was that he had made himself sole minister. The motion was defeated. But it was entered in the Journal of the House of Lords that "a sole or even a first minister is an office unknown to the law of Britain, inconsistent with the Constitution of the country, and destructive of liberty in any government whatsoever," and "it plainly appearing to us that Sir Robert Walpole had for many years acted as such by taking upon him the chief if not the sole direction of affairs in the different branches of the administration, we could not but esteem it to be an indispensable duty to offer our most humble advice to his Majesty for the removal of a minister so dangerous to the King, and to the kingdom."

A motion was made in the Commons at the same time as in the Lords, attributing to Walpole the sole responsibility for misgovernment, because he had "grasped in his own hands every branch of government, attained sole direction of affairs, monopolized all the favors of the Crown, passed the disposal of all places, pensions, titles, and rewards." Sandys, who led the attack in the Commons, declared that, "According to our Constitu-

tion we can have no sole and Prime Minister. We ought always to have several Prime Ministers and officers of state. Every such officer has his own proper department, and no officer ought to meddle in the affairs belonging to the department of another."

What a modern Prime Minister would have maintained as his right, Walpole was obliged to contend against as an accusation of criminality. Instead of admitting the charges brought against him, and contending for the principle upon which he had acted, he and his friends contented themselves with denying the facts. The Bishop of Salisbury said that there was no proof that he had usurped the authority of first minister. The accusation that he had made himself sole minister was combated by Lord Chancellor Hardwicke, who maintained that it was an impeachment of the King's partiality to suppose that he could permit any one person solely to engage his ear. He explained Walpole's interference with patronage on the ground that, as there happened to be great unanimity in the ministry, applicants for places came to him, not because it was the shortest way to reach the King, but because it was the shortest way to reach the minister who had the place to give away. He added, "It is very well known that this minister's recommendation does not always succeed, nor does his opinion always prevail in Council, for a candidate has often been preferred in opposition to

candidates recommended by him, and many things have been resolved in Parliament contrary to his sentiments and advice." Walpole himself said in Parliament, "I unequivocally deny that I am sole and Prime Minister, and that to my influence and direction all the affairs of government must be attributed." In the department of foreign affairs, he especially disclaimed responsibility. "I do not pretend," he said, "to be a great master of foreign affairs. In that post it is not my business to meddle, and as one of his Majesty's Council, I have but one voice." "Yet," he added, "I will not shrink from the responsibility that attaches to the post that I have the honor to hold: and should during the long period which I have sat upon the Bench, any one step taken by government be proved to be either disgraceful or disadvantageous to the nation, I am ready to hold myself accountable."[1]

Walpole's fall in 1742 left the great place which he had made for himself open to any one who was strong enough to hold it. And no one was strong enough. Like the Whig party at the time of the accession of George I., the party which overthrew Walpole had too many leaders. The King offered the position of First Lord of the Treasury, with power to appoint his colleagues, to Pulteney. It was refused. "Even should

[1] For this debate see "Parliamentary History," Vol. XI. cols. 1083, 1126, 1215, 1303.

my inclinations lead me to accede to these terms," Pulteney said, "yet it might not be in my power to fulfil." Although he was the principal agent in appointing the new ministers, in the Cabinet of his own appointment he chose for himself a seat without office.

When the King found that Pulteney would not take Sir Robert's place, he asked that his friend Lord Wilmington might be allowed *to slide into it.* But although Wilmington was First Lord of the Treasury, he was never Prime Minister. That place Walpole wished Pelham to fill. He wrote to him as early as October, 1742, "But you must be the first wheel in this machine, and whoever will think of making your authority less, will create difficulties that will not be easily got through." [1] However, when Pelham became First Lord of the Treasury in 1743, his right to be considered first minister was disputed. His own brother, the Duke of Newcastle, objected to his assuming that position. In November, 1743, he wrote to Hardwicke: "There is one thing I would mention to you, relating to myself. It must be touched tenderly, if at all. My brother has long been brought to think by Lord Orford that he is the only person fit to succeed him, and that has a credit with the King upon that foot; and this leads him into Lord Orford's old method of being the first person upon all occasions. This is not mere form; for I do apprehend

[1] Coxe, "Pelham Administration," Vol. I. p. 35.

that my brother does think that his superior interest in the closet and situation in the House of Commons give him great advantage over everybody else. They are indeed great advantages, but may be counterbalanced, especially if it is considered over whom these advantages are given. I only fling this out to make no remark about it." [1]

But it was not from his brother and Hardwicke that the chief opposition to the supremacy of Pelham came. Carteret, as we have seen, had returned to power as Secretary of State. As he had asserted himself against Walpole, so he asserted himself against Pelham. Newcastle and Hardwicke were opposed to having a first minister at all. Carteret was an opposition candidate for the position. Without the Parliamentary leadership which Walpole had recognized as the only justification for Cabinet leadership, he attempted to fill the same place in the Cabinet which Walpole had filled, or an even more arbitrary one. Trusting to his favor with the King, he treated the other ministers as mere ciphers. "Give any man the Crown on his side," he was accustomed to say, "and he can defy everything." When Chesterfield made an attack upon him in Parliament in December, 1743, he spoke of him as "the minister." And Pitt styled him "an execrable, a sole minister." [2]

[1] Coxe, "Pelham Administration," Vol. I. p. 205.

[2] Yorke, "Parliamentary Journal."

The circumstances under which Carteret retired from the Cabinet in 1744 have already been recounted.[1] From that time until his death in 1754, Henry Pelham may be considered as first minister. It is during this administration that we find the earliest use of the word Premier as a noun to denote the head of the government. It was the Duke of Cumberland who first made use of it. The King wished Pitt, then Paymaster General, to move the Parliamentary grant to Cumberland as victor of Culloden. Cumberland wrote to Newcastle, "I should be much better pleased if the Premier moved it, both as a friend and on account of his weight. I am fully convinced of the Premier's good will to me."[2] Yet Pelham was never decidedly first minister. The Pelham administration was a triangular arrangement, the power being divided between Pelham, Newcastle, and Hardwicke. A very slight preeminence was given to Pelham.

If Pelham was not able to hold Sir Robert's position, still less so was his brother Newcastle. Throughout his administration he was treated by his colleagues with contempt.

While the great Pitt ministry was in power, though we have forgotten Newcastle, yet Pitt and Newcastle

[1] See pp. 162–163.

[2] Coxe, "Pelham Administration," Vol. I. p. 486. Yet in Johnson's Dictionary, published in 1755, Premier is given only as an adjective. The Duchess of Marlborough in her correspondence speaks frequently of the Premier Minister — never of the Premier.

were to a certain extent coördinate ministers. Newcastle was at the head of the Treasury. It was he who bestowed places and pensions, and who bribed members of Parliament. Pitt was Secretary of State. It was he who directed the war and foreign affairs. Neither minister was inclined to intrude upon the province of the other. In time, however, all eyes were directed to Pitt. Newcastle's existence was forgotten, except by those who were looking for places.

During this period it became customary to give the Prime Minister more or less power to form his own administration. But it was with the understanding that he was to make as few changes as possible, and secure a working Cabinet. On the accession of George I. there was, for the first time, a full change in the ministry. But this was because of the wishes of the King, not because of the wishes of Parliament. At the time of the fall of Walpole, Newcastle said to Pulteney, "The King trusts you will not distress the government by making too many changes in the midst of a session of Parliament, and that you and your friends will be satisfied with the removal of Sir Robert Walpole, and a few others." Pulteney replied that he would be content if he had the "main forts of government." We have seen that when, in 1746, the other ministers began to resign with their chief, it was regarded with great consternation. This would now, of course, be considered the only proper thing for subordinate ministers to do.

That each member of the Cabinet had a right to be consulted on all public affairs was still not fully recognized. As Cabinet meetings were no longer held at fixed times, it was easier to leave certain ministers out of the deliberations. Thus Marlborough, although a member of the first Cabinet of George I., was scarcely ever invited to attend Cabinet meetings, and "was confined to the most ordinary routine of official functions, being unable to obtain even a lieutenantcy for a friend."[1] On matters requiring great secrecy, only a few members of the Cabinet were consulted, sometimes not more than one or two. Thus, while at The Hague, Stephen Poyntz was commissioned by Townshend to hold private correspondence with Stanhope, to be communicated only to the King.[2] While Sir Luke Schaub was in Paris, his instructions were direct from Carteret as Secretary of State, not, as they would be now, submitted to the Cabinet for approval. During the Walpole administration, almost all matters of importance were discussed first in an informal interior Cabinet, consisting of the First Lord of the Treasury, the Chancellor, and the two Secretaries of State.[3] If it seemed desirable,

[1] Mahon, "History of England," Vol. I. p. 153.

[2] Poyntz to Stanhope, July 23, 1716. Coxe, "Walpole."

[3] Count Broglio wrote to the King of France, "The more I study matters, the more I am convinced that the government is entirely in the hands of Mr. Walpole, Lord Townshend, and the Duke of Newcastle who are on the best terms with the Duchess of Kendal.

other ministers were consulted later. Walpole met the whole Cabinet just as little as possible. He was in the habit of inviting two or three colleagues to dinner to talk over affairs of state with him. These informal dinners had an advantage in addition to that of excluding objectionable ministers. It was not necessary to send a minute of such a meeting to the King.

In 1741 the King entered into negotiations for the neutrality of Hanover without consulting any of the English ministers. Even Walpole was not informed until the conditions were arranged, when it was announced in private letters from the King. He opened these letters in the presence of Newcastle without imparting their contents.[1] An official account of the negotiations was afterward sent by Lord Harrington from Hanover to the other ministers. During the Carteret-Pelham administration, Carteret withheld information from the Pelhams whenever it was possible, and never consulted them except when it was impossible to avoid such consultations. Under Pelham, there was

The King visits her every afternoon from five to eight. It is there that she endeavors to penetrate the secrets of his Britannic Majesty for the purpose of consulting the three ministers and pursuing the measures which may be thought necessary for accomplishing their design." — COXE, "Walpole," Vol. II. p. 304.

[1] Coxe, "Walpole." A partial excuse was offered for this on the ground that the King was acting in his capacity as Elector of Hanover, not as King of England.

an interior Cabinet consisting of the Pelham brothers and the Chancellor.[1] Pitt often withheld information from his colleagues. It is said that when Lord Anson was at the head of the Admiralty, he made him sign admiralty despatches without knowing their contents.

Throughout this period, Cabinet ministers were chosen exclusively from the ranks of the Whigs. But as all the various Whig factions were represented in the ministry, the unanimity now considered essential to efficiency was lacking. We have seen Sunderland and Stanhope intriguing against Townshend, Carteret against Walpole, and later against the Pelhams, Pitt and Fox joining in a Parliamentary attack upon Sir Thomas Robinson. Nor was it considered altogether incongruous that a minister should be a member of a Cabinet to whose principal measures he was opposed. In 1719 the Stanhope-Sunderland administration brought forward a bill for limiting the numbers of the peerage. It was defeated, and defeated chiefly through the efforts of Walpole, who was then in opposition. Soon afterward Walpole joined the government. That is, instead of this ministry going out of office, it strengthened itself by taking to itself its principal opponent, and that too, though he had

[1] Newcastle writes to Hardwicke that he "can't go on, unless the world understands that you, my brother, and I are one, not in thought only, but in action; not in action only, but in the first conception and digestion of things."

not changed his views. Moreover, although Walpole had at a very early stage exposed the fallacy upon which the South Sea scheme rested, he remained a member of the Cabinet which supported it.

In 1736 Walpole, as Prime Minister, introduced into the House of Commons a bill to relieve Quakers from the payment of tithes. It was passed in the Commons, but was thrown out in the Lords. And it was thrown out largely because of the opposition of Lord Chief Justice Talbot and Lord Chancellor Hardwicke, although Hardwicke had been raised to a peerage especially for the purpose of assisting the ministry in the Upper House. When, in 1753, Hardwicke, still Chancellor, introduced a Marriage Bill into Parliament, it was to find himself exposed to the ridicule of his colleagues. Fox, who was Secretary at War, was his principal opponent. He spoke against both the matter and the manner of the bill, — insisted that it was intolerably rigorous and carelessly framed; that the ministers themselves had amended it, until its own father would not know it. He flourished a copy, in which the alterations in red ink were very conspicuous. "How bloody it looks!" said the Solicitor General. "Yes," answered Fox, "but thou canst not say I did it. See what a rent the learned Casca made" (Solicitor General). "Through this the well-beloved Brutus stabbed" (Pelham). He also took occasion to declaim against the lawyers and

the pride of their Mufti (Hardwicke). He afterward made a slight attempt at apology, with some remarks complimentary to the Chancellor. When the bill came back to the Lords, Hardwicke indulged in a bitter philippic against Fox. He spoke of him as a "dark and insidious genius, the engine of personality and faction." "For my part," he exclaimed, "I despise the invective, I despise the apology, and I reject the adulation!" Fox regretted that the session was not to continue a fortnight longer, in order that he might repay his colleague in his own coin.[1]

Yet there was all the time a growing feeling that there should be more unanimity in the government. Very early in his career Walpole recognized the value of a united administration. When, under Anne, the Whigs made their famous attack upon the Board of Admiralty, of which he was a member, he defended it. When he was accused of speaking against some of his own party, he said that he could never be so mean as to sit at a Board and not defend it. When, in 1717, he could not agree with his colleagues as to the advisability of granting the King a supply against Sweden, he resigned. The King was so opposed to his resignation that he handed him back the seals no less than ten times. What would now be considered a plain duty was then regarded almost as a criminal defection.

[1] Trevelyan, "Early Life of Charles James Fox," pp. 13–15.

As Prime Minister, Walpole insisted upon unanimity as none of his predecessors had done. As he was more severe in enforcing discipline in Parliament than in the country, so he was more rigorous in his discipline in Cabinet and administration than in Parliament. Whenever it was possible, he dismissed refractory ministers. We have seen how he dealt with Carteret. Soon after he had got rid of him, a bill was passed levying a tax on ale in Scotland. As a consequence, there were disturbances in that country. The Duke of Roxburgh, the Secretary of State for Scotland, did his best to help on these disturbances. Walpole wrote to Townshend, "I beg leave to observe that the present administration is the first that ever yet was known to be answerable for the whole government with a Secretary of State for one part of the kingdom, who, they are assured, acts counter to all their measures, or, at least, whom they cannot in the least confide in."[1] Soon afterward, Roxburgh was dismissed.

Out of deference to the wishes of at least a large minority in the House of Commons, and a large majority in the country, Walpole withdrew his Excise Bill. But none the less for that did he discipline the members of the Cabinet and other prominent officials who had opposed it. Chesterfield, who was Lord Steward at the time, had expressed his disapproval of the bill,

[1] Coxe, "Walpole," Vol. II. p. 474.

and his brothers had voted against it in the House of Commons. He was dismissed, as were also Lord Clinton, Lord of the Bedchamber, the Earl of Burlington, Captain of the Board of Pensioners, the Duke of Montrose, the Earl of Marchmont, and the Earl of Stair, all of whom held office in Scotland. The Duke of Bolton and Lord Cobham were deprived of their regiments. Yet Walpole thought it necessary to deny that any servant of the Crown had been removed from office on account of having opposed measures of the administration. "Certain persons," he said, "had been removed because his Majesty did not think best to continue them longer in service. His Majesty has a right so to do, and I know of no one who has a right to ask him, What doest thou? If his Majesty had a mind that the favors of the Crown should circulate, would not this of itself be a good reason for removing any of his servants? . . . I cannot see, therefore, how this can be imputed as a crime, or how any of the King's ministers can be blamed, *for his doing what the public has no concern in, for if the public be well and faithfully served, it has no business to ask by whom.*"

At another time there was a difference of opinion in the Cabinet as to an application to be made to certain foreign courts. Walpole was overruled. He complained to the King that business was stopped, on account of the differences in the Cabinet. The King sent for New-

castle and reproved him. "As to business in Parliament," he said, "I do not value the opposition, if all my servants act together and are united; but if they thwart one another, and create difficulties in the transaction of public business, then indeed it will be another case." Later, Newcastle met Walpole, and charged him with having directed the King to say this. Walpole denied it, but said that he agreed with the sentiments.

Toward the close of his administration, Walpole was unable to control his Cabinet.[1] His fall was due almost

[1] In 1739, when Walpole was doing all that he could to prevent war with Spain, Newcastle and Hardwicke were both in favor of such a war. Newcastle did what he could to raise factions in the Cabinet. Yet Walpole dared not dismiss him. At one time Newcastle wished to send all the ships that could be spared from the fleet to strengthen the squadron of Vernon and Ogle. Walpole objected and exclaimed: "I oppose nothing. I give in to everything, am said to do everything, am to answer for everything, and yet God knows I dare not do what I think right. I am of the opinion for having more ships of Sir Chaloner Ogle's squadron behind, but I dare not. I will not make any alterations." The Archbishop of Canterbury proposed that the matter be reconsidered. Walpole opposed reconsideration, and said, "Let them go, let them go!"—"Hardwicke Papers," Newcastle to Hardwicke, October 1, 1740.

Lord Hervey gives us the following scene at the end of a long meeting of Cabinet: "Just as Sir Robert Walpole was upon his legs to go away, the Duke of Newcastle said, 'If you please, I would speak one word with you before you go.' To which Sir Robert Walpole replied, 'I do not please, my lord; but if you will, you must.' 'Sir, I shall not trouble you long.' 'Well, my

as much to the opposition of his colleagues, as to opposition in the House of Commons. In his resignation he was true to his principles. So long as it was possible to maintain discipline in the administration, he maintained it. When this was no longer possible, he resigned.

During the Pelham administration, there was a curious attempt on the part of the Cabinet to act as a court of justice. A certain person stated that he had seen a bishop, the Solicitor General, and another person drink to the health of the Pretender. He was summoned before the Cabinet and examined under oath. The other side of the question was also heard, and a report of the examination was submitted to the King. There was a debate upon this proceeding in the House of Lords. The action of the Cabinet was denounced as a revival of the Star Chamber and the Inquisition, and an attempt to establish a new jurisdiction.[1] Since that time there has been no similar attempt on the part of the Cabinet.

lord, that's something; but I had rather not be troubled at all. Won't it keep cold until to-morrow?' 'Perhaps not, sir.' 'Well, come then, let's have it.' Upon which they retired to a corner of the room, where his Grace whispered very softly, and Sir Robert answered nothing but aloud, and said nothing aloud but every now and then, 'Pooh! Pshaw! O Lord! O Lord! pray be quiet. My God, can't you see it is over?'" — HERVEY, "Memoirs," Vol. II. p. 564.

[1] "Pelham Administration," Vol. III. pp. 254–263.

CHAPTER IX

LATER CABINET DEVELOPMENT

Attempt of George III. to rule as well as reign — No change in legal position of sovereign since William III. — The people in the main with George III. — Exclusion of the Tories from power considered unjust — Bolingbroke's "Patriot King" — "Seasonable Hints from an Honest Man" — General plans of George III. — His first speech to Parliament — Pitt leaves the Cabinet — Lord Bute real Prime Minister — Newcastle resigns — Administration of Bute — His resignation — Letter of Bute to Bedford — Administration of Grenville — The King tries in vain to get rid of him — Bute banished from Court — The King attempts to govern in spite of his ministry — The first Rockingham administration — Dissensions in the ministry — Opposition of the Court — Resignation of Rockingham — Chatham administration — Dissensions and weakness — Illness of Chatham — Formation of an opposition to the Court — The country is roused — Administration of North — Temporary triumph of King, but as King of party — Parliamentary reporting — Opposition of country to ministry — Its fall — Second Rockingham administration — Disfranchisement of revenue officers, and Economical Reform Act — Shelburne administration — Coalition ministry — Opposition of the King and the country — The India Bill — Fall of the Coalition — Appointment of Pitt — The opposition opposes dissolution — Discussion in Parliament for

three months — The country decides in favor of Pitt — Victory of the people over the nobles, and over the Crown — Pitt builds up ministerial authority — His fall in 1801 — Administration of Addington — Second Pitt administration — The ministry of "All the Talents" — The King requires a pledge from it — The ministry refuses and resigns — Parliamentary debate on the subject of pledges — Ministerial arrangements at beginning of the Regency — The Queen's trial — Catholic emancipation — The Reform Act — William IV. finds himself unable to turn out the Melbourne ministry in 1834 — The Bedchamber Question — Queen Victoria's memorandum to Lord Palmerston — Pitt on the office of Prime Minister — Cabinet ministers changed simultaneously — Unanimity in the Cabinet — Personalia of the Cabinet.

PROBABLY by the close of the administration of Sir Robert Walpole, certainly by the death of George II., the general trend of Cabinet development had been pretty well indicated. There was to be a Prime Minister, who was practically to take the place of the King. He was to be the leader of the party in power in the House of Commons, and was to be dependent upon a Parliamentary majority, rather than upon royal favor. He was to preside over a Cabinet, composed of men of the same party, who were prepared to act as a unit under him. That is, the proper authority of Parliament was recognized, and the machinery by means of which it was to exercise that authority was determined. Nothing was wanting in the theory and practice of Parliamentary government but an improved condition of Parliament itself. It remains to consider an attempt made by

George III. to undo what had been done, to restore the royal prerogative, to break down Cabinet government, and its necessary condition, party government.

Many things combined to favor this attempt. In the first place, while the actual powers of the monarch had been constantly declining, there had been no change in the letter of the law. The new King might well have argued that the diminution of the royal power had been due to the personal weakness of his immediate predecessors, but that a sovereign strong enough to rule as well as to reign had a perfect right to do so. The "Commentaries" of Blackstone were not published until some time after his accession, but while he was still Prince of Wales, Lord Bute had obtained portions of them in manuscript for his instruction.[1] From these he learned that "The King of England is not only the chief, but properly the sole magistrate of the nation, all others acting by commission from him and in due subordination to him. . . . He may reject what bills, may make what treaties, may pardon what offences, he pleases, unless when the Constitution hath expressly, or by evident consequences, laid down some exception or boundary. . . . He has the sole power of regulating fleets and armies, of manning all forts and other places of strength within the realm, of making war and peace, of conferring honors, offices, and privileges. He governs the

[1] Adolphus, "History of George III.," Vol. I. p. 12.

kingdom. Statesmen, who administer affairs, are only his ministers."[1]

In the second place, the people were in the main with the King. Both Whig and Tory supported the new monarch. Formerly the Hanoverian had been the foreign king. Now it was the Pretender who was the foreigner. By birth, education, and sympathies George III. was an Englishman. The sentiment of religious loyalty which, under the first two kings of the House of Hanover, had almost ceased to support the Crown, returned to some extent with the accession of a real English king. It was perhaps felt that the family had been established long enough to have attained to a little divine right. The new system had been only an expedient, — an expedient which had been rendered necessary by the inefficiency of the foreign rulers, and the dangers which surrounded a disputed succession. But expediency, though it may arouse the enthusiasm of a man like Burke, who is able to exalt it into a philosophy, never appeals to the people except as a necessary evil. It is for an idea that *they* are willing to sacrifice everything. This idea royalty supplies. A monarch is the historical symbol of the emotional ideals of a nation. George III. appealed to the loyalty of the people, as the representative of the national unity and dignity. As for the Prime Minister, he was not very intelligible

[1] Blackstone, Book I. Ch. VII.

to them. They at least had not chosen him, nor was it quite clear to them how he had been chosen. And when the people had not chosen him, and the sovereign was opposed to him, the situation was at least peculiar.

Nor did the people feel that they had gained much by the substitution of the authority of Parliament for the authority of the King. They were learning that a Parliament which represented them so inadequately might be just as much a tyrant as a monarch. As Burke put it the "distempers of monarchy were the great subjects of apprehension and redress in the seventeenth century: in the eighteenth century, the distempers of Parliaments."

The new system had been rendered possible only by the long exclusion of the Tories from power. The King had been both the protégé and the prisoner of the great Whig families. He was entirely in their hands. For he had alienated the other party by assuming that they were all rebels. If, therefore, he wished to change his counsellors, he could only turn to another section of the Whigs, and this the Whigs might render impossible by effacing sectional divisions in their ranks. There had always been a feeling that the exclusive employment of one party was an injustice, and this feeling had gathered strength with the years. The exclusion of the Tories had been a makeshift at best. It had originally

been justified by the Jacobitism of their party, but that excuse no longer existed. There had, therefore, been a tendency for some time, and that on the part of the abler statesmen, to give them what was considered their legitimate share in the government. After the fall of Walpole, it was hoped by many that Carteret and Pulteney would form a mixed government. But these statesmen did not deem it practical to give Cabinet positions to men whose political principles were opposed to their own. A little later Pitt came into office as the darling of the people, not of the Whig party. Horace Walpole speaks of his "known design of uniting, that is, of breaking all parties."[1] Although he was not able to give the Tories any of the higher offices of government, he gave them a number of inferior offices. For the first time since the accession of the House of Hanover, members of the Conservative party displayed a real enthusiasm in politics. "The country gentlemen deserted their hounds and their horses, preferring for once their Parliamentary duty, and displayed their banner for Pitt."[2]

During the reign of George II., in words which would almost seem to have suggested the policy of his grandson, Bolingbroke had pictured a "Patriot King," who should "begin to rule as soon as he began to reign,"

[1] Walpole, "Memoirs of George III.," Vol. I. p. 15.

[2] Glover, "Memoirs," p. 97.

who should "espouse no party, but govern like the common father of his people," who "instead of putting himself at the head of one party in order to govern his people, will put himself at the head of his people, in order to govern, or more properly to subdue all parties."[1] In 1761 a pamphlet appeared called "Seasonable Hints from an Honest Man on the New Reign and the New Parliament." The author, who was believed by many to be Lord Bath, called upon the new sovereign to consider "whether he was to content himself with the shadow of royalty, while a set of undertakers for his business intercepted his immediate communication with his people, and made use of the legal prerogative of their master, to establish the illegal claims of a factious oligarchy." He complained that "a cabal of ministers had been allowed to erect themselves into a fourth estate, to check, to control, to influence, nay, to enslave the others," — that it had become usual "to urge the necessity of the King submitting to give up the management of his affairs, and the exclusive disposal of all his employment, to some ministers, or set of ministers, who, by uniting together, and backed by their numerous dependents, may be able to carry on the government," that "ministerial combinations to engross power and to invade the closet, were nothing less than a 'scheme of putting the sovereign in leading strings,'"

[1] Bolingbroke, "On the Idea of a Patriot King."

and that their result had been the "monstrous corruption of Parliament, and the strange spectacle of a King of England, unable to confer the smallest employment, unless on the recommendation, and with the consent, of the ministers." He exhorted the King to pursue such a course as would attain to "the true ideal of the Constitution — in which the ministers will depend on the Crown, not the Crown on the ministers."[1]

With the letter of the law, the sentiment of the people, and of many of the statesmen thus with him, the King might easily have argued that both right and might were on his side.

He saw clearly that the best way to destroy Parliamentary government was to break down party organization, — to reduce the House of Commons to the position of a heterogeneous national council. For it is only through organization that this House can exercise its most important function, — its elective function, — or that it can support and maintain an administration after it has been elected. No government could depend for its existence upon the isolated judgment of six hundred individuals. Nor did it seem as though the breaking

[1] Even Burke had probably sympathized at first with the demand for the abolition of party rule. In the "Annual Register" for 1762, p. 47, we read, "From the beginning of this reign, it had been professed with the general applause of all good men to abolish those odious distinctions (Whig and Tory), and to extend the royal favors and protection equally to all his Majesty's subjects."

down of party organization would be a difficult task. For the parties of that day were "strong by alliances, rather than by union." The eighteenth-century party was, like the feudal army, made up of the aggregations of the followers of various leaders. It was, therefore, like the feudal army, easily dismembered.[1] But further, the King's aim was to "so disunite every party, and even section of a party, so that no concert, order, or effect could appear in any future opposition."[2] And for this he was admirably fitted by nature, for, as Shelburne said of him, "he possessed one art beyond that of any man whom he had yet known: for that by the familiarity of his intercourse, he obtained your confidence, and then availed himself of this knowledge to sow dissension."[3]

The patronage of the Crown, which for a long time had been for the most part at the disposal of the minister, and had been used by him to maintain his major-

[1] An analysis of the House of Commons dated May 1, 1788, has been recently discovered among the papers of one of the younger Pitt's private secretaries. In it the "party of the Crown" is estimated at 185 members. This party includes "all those who would probably support his Majesty's government under any minister not peculiarly unpopular." The independent or unconnected members were reckoned at 108. Fox's party was reckoned at 138, and Pitt's at 52, and "of this party, if there were a new Parliament, and Mr. Pitt were no longer to continue minister, not above twenty would be returned." Rosebery, "Life of Pitt," pp. 78–79.

[2] Burke, "Causes of the Present Discontents."

[3] Nicholls, "Recollections of George III.," Vol. I. p. 389.

ities, George III. took into his own hands. He used it to build up in Parliament a party that might be counted upon to give an unvarying support to the Crown, with the ministry if it might be, against the ministry if it must be. With the aid of this body it would, he hoped, be easy to overthrow any objectionable administration. Hitherto there had been a party of minister's friends, varying somewhat with the minister, held together partly by patronage, and partly by the disposition of certain natures invariably to support the party in power. There was now to be a party of King's friends.

The young King lost no time in making it evident that he intended to follow Bolingbroke's advice, — to begin to govern as soon as he began to reign. It is true that, for the first time in history, there was no attempt at the accession of the new sovereign to make immediate changes in the administration. But the first draft of the King's first speech to Parliament was drawn up by himself and his favorite, Lord Bute, without consulting any member of the Cabinet. It was with difficulty that Pitt induced him even to change certain obnoxious expressions.

It was now the object of the Court to get rid of the existing ministry, and to replace it, if possible, by one formed from among the King's friends. This was the easier, inasmuch as the ministry was divided against itself. There were two distinct elements in it. The

Newcastle element represented the Whig aristocracy, the Pitt element the popular part of the Constitution. So long as the war was the one subject of interest, and Pitt's services were so essential, the two parties had been able to get on with a fair degree of amity. But that time had passed. With the prospect of peace, the natural enmities were manifesting themselves. Both factions were distasteful to the King. For, while Pitt's views corresponded in some respects with his own, he knew that no one could be king while Pitt was minister. In order that he might rid himself of them, one at a time, he did what he could to foment the existing jealousies.[1] Pitt, seeing the danger, proposed to Newcastle to "join him in a closer union."[2] His overtures were rejected. On the 18th of September, 1761, Pitt proposed to his colleagues a declaration of war against Spain. No member of the Cabinet supported him, except his brother-in-law, Lord Temple. Whereupon he declared that he "would not remain in a situation which made him responsible for measures which he was no longer allowed to guide." On the 5th of October Pitt and Temple resigned.

The Pitt element having been thus disposed of, the King considered that the Newcastle element might be

[1] "Rockingham Memoirs," Vol. I. p. 67. Dodington's "Diary," December 27, 1760.

[2] Walpole, "Memoirs of George III.," Vol. I. pp. 10–12.

safely ignored. He treated his friend, Lord Bute, who had recently been appointed Secretary of State, as the real first minister. Bute "undertook the chief management of public affairs in the Cabinet, and the sole direction of the House of Lords."[1] He consulted none of his colleagues save Lord Egremont and Mr. George Grenville. The latter had been brought into the Cabinet in February, 1761, largely because through Bute's influence he was beginning to break away from Pitt. He soon become leader of the Commons. But even he had cause to complain that he was not sufficiently consulted. Though leader of the House of Commons, he was denied all part in the secret corruption of members, which at that time was almost the most important function of the leader of that House.[2] Newcastle, though still the nominal head of the government, was treated like a mere cipher. He was allowed to have no share in the patronage of the Crown. Seven peers were created without his knowledge. His subordinates at the Treasury Bench were even said to have received instructions to slight him.[3] Even to a man with as little self-respect as Newcastle, the situation was intolerable. In May, 1762, he resigned.

[1] "Buckingham Memoirs," Vol. I. pp. 54, 86, 101.

[2] "Grenville Papers," Vol. I. p. 483.

[3] Walpole, "Memoirs of George III.," Vol. I. p. 156. Albemarle, "Life of Rockingham," Vol. I. pp. 102–112; Vol. III. pp. 79, 80. Harris, "Life of Hardwicke," Vol. II. pp. 230, 273–274.

Both obnoxious factions in the Cabinet having been thus disposed of, Lord Bute became nominal as well as real head of the ministry. That the best-hated man in the kingdom could maintain himself in this position at all was evidence of the changed attitude of Parliament and the country toward royalty. It had been otherwise in 1746. But George III. and his ministers made their designs a little too evident. It was given out that "the King would be King, — that he would not be dictated to by his ministers, as his father had been. The prerogative was to shine out, and great lords must be humbled."[1] There was to be a general proscription of the Whig nobles. Placemen who voted against the Court were to be dismissed. As a result the Crown lost all that it had hitherto gained. The King had been able to increase the divisions among the Whig nobles themselves, and between them and the popular party, and thus had overthrown all of them. But now by his severe measures he succeeded in uniting the Whigs once more into an organized opposition. And not only so, but he made them the popular party in a sense in which they had not been popular before. They no longer considered it their principal function to support the Crown, as had been the function of the Whig party since the accession of the House of Hanover, or even to maintain the authority of the great Whig families, but rather to uphold the

[1] Walpole, "Memoirs of George III.," Vol. I. p. 200.

rights of the people against an undue exercise of the prerogative. Never since the Revolution had a minister of the Crown been so hated as was Bute. Even in the Cabinet he soon found himself almost alone. Bedford, the Lord Privy Seal, and Mansfield, the Chief Justice, were constantly opposing him. He saw, as he himself put it, that there was danger, not only of falling himself, but even of involving his royal master in his ruin. He resigned, April 8, 1763, having held office as first minister only eleven months.

Nevertheless, the King and his favorite were far from owning themselves defeated. A letter written at this time by Bute to the Duke of Bedford shows that there was no intention of yielding in anything save form. In this letter, the King is represented as determined "never upon any account to suffer the ministers of the late reign, who had attempted to fetter and enslave him, ever to come into his service, while he lives to hold the sceptre," as "resolved to collect every other force, and especially the followers of the Duke of Bedford and of Mr. Fox, to his counsels and support," and "to give every encouragement to those Whig country gentlemen who, without abandoning any political principles, would agree to support his government."[1] He hoped thus to be able to command a Parliamentary majority, without having to place himself in the hands of a party.

[1] "Bedford Correspondence," Vol. III. pp. 223–226.

Though Bute was obliged to quit office, it was the intention that he should still be the principal adviser of the Crown. He himself nominated George Grenville as his successor, and arranged with him the personalia of the Cabinet.

"We entered into the King's service," Grenville said, "to prevent the law from being indecently and unconstitutionally given to him."[1] And again, "I told his Majesty that I came into his service to preserve the Constitution of my country, and to prevent any undue and unwarrantable force being put upon the Crown."[2] Yet the King and Bute soon found that it was impossible to make a mere tool of the new minister. He believed that power and office should go together, and was jealous of Bute. He complained that, though he was nominally his Majesty's minister, he did not have a proper share of his confidence.[3] Moreover, though put in office to carry out a Tory policy, he had been brought up as a Whig, and still considered himself a member of that party. He at least retained so much of Whig principles as to have a high sense of the authority of the House of Commons, and he preferred to derive his power from that body rather than from the King.

[1] "Grenville Papers," Vol. II. p. 86.
[2] *Ibid.*, Vol. II. pp. 84, 88, 89.
[3] *Ibid.*, Vol. II. p. 106.

He entered upon office in May. By August the King had found his ministry such bondage that he was willing to intrust the government to Pitt, whose expulsion from the administration had been the first object of his reign. Pitt, though still retaining his ideas about party, thought the government of the Whig aristocracy preferable to the absolute rule of the King. He therefore refused to take office except in conjunction with the great Whig families. To these terms, the King refused to consent. "My honor is concerned," he said, "and I must support it." [1]

Finding himself obliged to retain Grenville as minister, the King found himself also obliged to listen to his remonstrances against his favorite. Lord Bute retired from Court. A little later another application was made to Pitt, but it was again impossible to induce him to take office, except in conjunction with the Whig families. This time, however, the King made an unfair use of Pitt's frankness in the closet to sow dissensions among the Whig nobles. Thus he succeeded in some measure in breaking the organized opposition, — the thing that he was always trying to do.

In 1765 the ministers introduced a Regency Bill into Parliament. They mismanaged it in such a way as to display a want of concert among themselves, a disregard of the King, and a misunderstanding of Parlia-

[1] "Grenville Papers," Vol. II. pp. 96, 107.

ment.[1] The King again tried to get rid of them by an appeal to Pitt. This time he was so desperate that he was even willing to accept an administration of the general composition of the administration that he found in office at the beginning of his reign, — Pitt and the Whig families. But he was not even allowed to rid himself of Grenville in this way. Pitt refused to take office because of the objections of Temple. The Grenville ministry, emboldened by the fact that the King was obliged to retain them, consented to grant him the inestimable boon of remaining in the offices of which he would so gladly have deprived them, on condition that Lord Bute should "not be suffered to interfere in his Majesty's councils in any manner or shape whatsoever."[2] It is probable that from this time Bute no longer had a voice in public affairs. But though forced to retain his obnoxious ministers in office, the King was determined to govern without them. When ministers expressed the hope that he would accord to them his confidence, he was silent. When an appointment was to be made, he studiously neglected their wishes, and often filled it without even informing them of his choice.

This administration is memorable because of its two

[1] By an attempt to exclude the Princess of Wales from the list of persons capable of exercising the Regency.

[2] "Grenville Papers," Vol. II. pp. 41, 84. Adolphus, "History of George III.," Vol. I. p. 170.

principal measures, — the taxation of America, and the procedure against Wilkes. They were both royal, rather than ministerial, measures. The first was suggested by the King, the second received his hearty indorsement. And during the time that this ministry was in office, as indeed all through this period, the King systematically violated the privileges of Parliament. Although it was a constitutional doctrine that he should not hear or give credit to reports of Parliamentary debates, he obtained from his ministers the most minute and circumstantial account of proceedings. A speech or a vote against the Court was punished by the personal resentment of the King, and in the case of a placeman, with the loss of his place. Dismissals were made in many cases in spite of the remonstrances of Grenville, who did not altogether approve of the proscriptive policy of the Court.

Finally the Duke of Bedford demanded an audience, and read to the King a paper formally accusing him of a want of confidence, and even of duplicity in his dealings with his ministers.[1] "If I had not broken into a profuse sweat," the King afterward said, "I should have been suffocated with indignation." Again Pitt was resorted to in vain. At last, in July, 1765, after the country had been practically for seven weeks without a government,

[1] "Grenville Papers," Vol. III. p. 194. "Bedford Correspondence," Vol. III. Introduction, xliv–xlv, and also p. 286.

the main body of the Whigs returned to office under Rockingham.

Not only was the new ministry as a whole offensive to the King, but there were certain members of it whom he found personally objectionable. The Marquis of Rockingham, the new Premier, he had recently deprived of a lieutenantcy. Conway, who not long since had been dismissed from his civil and military posts, became Secretary of State and leader of the House of Commons. Moreover, the new ministers came in with the express intention of reversing the policy of proscription adopted by the King, of repealing the Stamp Act, and of expressing their disapproval of the proceedings of the House of Commons in the Wilkes case.

Nevertheless, from the standpoint of the Court, the situation was not altogether hopeless. It was not quite clear that under present circumstances it was not more advantageous to the King to have his enemies in office than his friends. It had been proved that it was easier to render an administration impotent than to render an opposition impotent. For it was easier to sow dissensions among men in office than among men out of office.

In this case the King had very good material upon which to work. The Rockingham ministry was not united to begin with. The King had been able to keep two of his friends in office, — Northington, the Chan-

cellor, and Barrington, Secretary at War. They were opposed to the government of which they formed a part on the question of the legality of general warrants, — a question which had been raised in the course of the proceedings against Wilkes, — and on the question of American taxation, and in general they were at the service of the King. Both of these ministers voted against the repeal of the Stamp Act. Moreover, the Whigs as a party returned to office much weaker than they had gone out. Deaths and desertions had reduced their ranks. Charles Townshend, the Paymaster of the Forces, described the government as a "lute-string administration, fit only for summer wear," and refused to defend its measures.

On the other hand, the King's friends were better organized and disciplined than ever before. Some of them held subordinate offices in the government or in the household. Others were independent members of Parliament. In upholding the King against his ministers, they acted as a united, organized body. The King assured the officers of his household that they were at full liberty to vote against the administration. Thus, according to Burke, was formed "an opposition of a new and singular character — an opposition of placemen and pensioners."[1]

Not only the King's friends, but the King himself appeared as the opponent of the administration. He

[1] Burke, "Cause of the Present Discontents."

resisted the repeal of the Stamp Act in council, and when he could not prevail, he authorized Lord Strange to spread about the report that he was opposed to it. In spite of the fact that Lord Mansfield argued that "though it would be unconstitutional to endeavor by his Majesty's name to carry questions in Parliament, yet where the lawful rights of the King and Parliament were to be asserted and maintained, he thought the making his Majesty's opinion in support of those rights to be known, was fit and becoming,"[1] the King seemed to feel that his action was unconstitutional. And when in order to counteract this report Rockingham insisted upon having the royal assent to the repeal in writing, it was granted, but no one was deceived.

The King steadily refused either to remove from or to appoint to office in accordance with the wishes of this ministry, and he would not create a single peer at its request.

Owing to the known opposition of the Court, ministerial majorities dwindled. On an election petition in February, 1766, ministers carried their candidate by only eleven votes. On the next day they were defeated in the Lords by a majority of three. In May the Duke of Grafton resigned his position as Secretary of State. "He had," he said, "no objections to the persons or the measures of the ministers, but he thought they

[1] "Grenville Papers," Vol. III. p. 374.

wanted strength and efficiency to carry out proper measures, and that Pitt alone could give them solidity." In July the Chancellor Northington informed the King that the ministry found itself unable to carry on the government.

The King's friends had not been able to carry on the administration, and the Whig families had not been able to do so. The only resource left was Pitt. This time he did not refuse. And the outlook for the King was in some respects brighter than ever before. Pitt was not so formidable personally as he had been. His overbearing manner had prevented him from making friends in Parliament. By his acceptance of an annuity and the barony of Chatham for his wife at the time of his retirement in 1761, he had lost considerable of his popularity in the country. By his acceptance of the earldom of Chatham now he was shorn of most of the popularity that he had left, while his removal from the Lower House made his influence in the government much less. His obsequious bearing in the presence of royalty was in his favor. But the King counted most on the fact that his views with respect to party government, though for different reasons, coincided with his own. In writing to him on the 29th of July, 1766, the very day that he signed the warrant making him an earl, he said, "I know that the Earl of Chatham will zealously give his aid toward destroying all party dis-

tinctions, and restoring that subordination to government which alone can preserve that inestimable benefit, liberty, from degenerating into licentiousness."[1] A little later he described "the very end proposed at the formation of the present administration" as being "to root out the present method of parties banding together."[2]

Inasmuch as Chatham did not consider that his health would permit him to undertake the duties of Premier, he made the Duke of Grafton First Lord of the Treasury, while he himself took the position of Privy Seal. In accordance with his own ideas and those of the King, the new ministry was composed of men of all shades of political opinion, — King's friends and stanch Whigs, friends and enemies of Wilkes, friends and enemies of each other. As a result, the King got just what he wanted. The administration having no definite policy, the opposition had none either. The divisions in the one involved divisions in the other. Hence the administration, while so weak that it allowed the King to rule, could not easily be overthrown.[3]

Chatham, however, was not so well pleased. He discovered when it was too late that "when he had accomplished his scheme of administration he was no

[1] "Chatham Correspondence," Vol. II. p. 21.

[2] *Ibid.*, Vol. III. p. 137.

[3] This was the first ministry defeated on a money bill since the Revolution.

longer minister.[1] "One thing," wrote Charlemont to Flood, "appears very extraordinary, if not indecent. No member of the opposition speaks without directly abusing Lord Chatham, and no friend ever rises to take his part. . . . Never was known such disunion, such a want of concert as visibly appears on both sides. How it will end, Heaven only knows."[2]

Such was the condition of affairs while Chatham was able to come to the House. In March, 1767, he fell ill, and for more than two years he was unable to attend to business, though he continued in office until October, 1768. After his withdrawal from political life the ministry was divided into as many parts as there were men in it. In July, 1767, the Duke of Grafton desired to resign. He was persuaded to remain, but he went only once a week to London. The King was thus enabled to exert an influence such as had not been possible before during the reign. According to Horace Walpole, "Everybody ran to Court, and voted for whatever the Court desired."[3]

At last, more through the Wilkes case and the Middlesex election which grew out of it than anything else, an opposition to the Court was formed, comprising men in the Cabinet, as well as men outside it. Chatham re-

[1] Burke, "Speech on American Taxation."

[2] "Chatham Correspondence," Vol. III. p. 110.

[3] Walpole, "Memoirs of George III.," Vol. II. p. 381, note.

turned to the House of Lords to denounce the ministry which he had himself formed, and to retract his former utterances with respect to party. The Chancellor, Camden, expressed his approval and was dismissed. Granby, the Commander-in-chief, declared in the House of Commons that he would always consider the vote he had given in favor of the incapacity of Wilkes as the greatest misfortune of his life. Soon afterward he resigned.

More important still, the country was roused by the Wilkes case as it had not been for years. In July, 1769, the Lord Mayor and Livery of London presented an address to the King arraigning the conduct of ministers as subversive of the Constitution. In March, 1770, they presented another remonstrance supposed to have been drawn up by Chatham. In almost every county bodies of freeholders met to discuss grievances, to draw up petitions to Parliament and instructions to their members. On the 28th of January, 1770, Grafton resigned. He was succeeded by Lord North.

And now the King found what he had been looking for ever since he came to the throne, — a minister who was willing to act as a mere agent, a minister who explained and defended in Parliament measures which he did not suggest, to most of which he was opposed, and about some of which he had not even been consulted. And the singular part of it was that he did this not out of a desire to remain in office, but

only out of kindly consideration for his master. The King superintended the whole course of administration, not only directing his ministers as to what measures were to be brought forward in Parliament, but sometimes even prescribing the manner in which they were to be argued. He was both Prime Minister and Cabinet. Lord George Germaine stated in the House of Commons that the King was his own minister, and Charles Fox regretted that "his Majesty was his own unadvised minister."[1]

The King, as we have seen, had hoped to attain absolutism through the obliteration of party lines. Had he succeeded in abolishing party government permanently, no doubt absolutism would have followed. But party feeling and party organization were too strong to be overcome. After a ten years' struggle to rule as well as reign, the King enjoyed a temporary triumph, but as king of a party. The opposition was more united than at any previous time during the reign. The various sections of the Whigs, — the Chathams, the Rockinghams, the Grenvilles, and the Temples — were fighting under the same banner. This union and discipline in the Whig ranks entailed a corresponding union and discipline among the Tories. It was as a Tory leader that Lord North came into power, and his administration was distinctively a Tory administration.

[1] Fox, "Memoirs," Vol. I. p. 203.

How long this government might have continued, had it not been for popular feeling, it is difficult to say. But that feeling which, in the case of Wilkes, had been so powerfully aroused, continued to exert a strong influence upon public affairs. In 1771 the right of Parliamentary reporting was practically secured. In February and March of that year eight printers were ordered to attend at the bar of the House of Commons for having "misrepresented the speeches, and reflected on several of the members of the House." Three of these failed to attend. The House issued a proclamation, offering a reward for the apprehension of two of them, Thompson and Wheble, and ordered the third, Miller, into custody for his offence. In accordance with the proclamation, the two former were collusively arrested. Thompson was brought before Alderman Oliver, and Wheble before Alderman Wilkes. They were both discharged, and Wheble was bound over to prosecute his captor for assault and false imprisonment. In obedience to the order of the House for taking Miller into custody, Whittam, a messenger of the House, arrested him in his shop. But Miller sent for a constable, and gave the messenger into custody for having assaulted him in his own house. Printer and messenger were taken together before the Lord Mayor Crosby, Alderman Oliver, and Alderman Wilkes. It being proved that the messenger was neither a peace

officer nor a constable, and that the warrant was not backed by a city magistrate, Miller was discharged, and Whittam was committed, though afterward admitted to bail. Whereupon the Lord Mayor and Alderman Oliver, being members of the House, were ordered to appear in their places, and Alderman Wilkes at the bar of the House. The audacious Wilkes replied that he too would appear in his place as member for Middlesex. Not daring to risk another conflict with him, the House changed the date for his appearance to a day when it was not sitting. The Lord Mayor and Alderman Oliver attended, being accompanied by crowds, who cheered them on their way. They were committed to the Tower, but the six weeks that they stayed there were one continual ovation. Distinguished persons visited them, cities granted them their freedom, — presents were lavished upon them. When they were released, a triumphal procession accompanied them from the Tower to the Mansion House. After that it was not likely that any one would again be prosecuted for the publication of Parliamentary debates. From that time on the proceedings of both houses of Parliament were freely reported, and the interest of the people in public affairs increased with their knowledge.

It was the military disasters of the American war that finally terminated Lord North's government. That

war had been popular in the country so long as there was good hope that it would succeed. But when it seemed likely that it was doomed to failure, both it and the ministers who were carrying it on became unpopular. As for North, he soon gave up all hope, perhaps all desire, that it should be successful. On the 17th of February, 1778, he astonished his own supporters quite as much as the opposition by moving Bills of Conciliation, which virtually conceded all that America had been asking for. He stated that he was acting consistently with the opinions that he always had held, — that the policy of taxing America was not his but that of his predecessors, that he had never had any belief in the possibility of obtaining a revenue from that country.[1]

At this stage in the proceeding every one, whether friend or foe, except the King, believed that the only hope was in Chatham. North, Bute, and Mansfield all begged that he be sent for. But it was more important to the King that he should rule than that the country should prosper, or even be safe. "No advantage to this country," he said, "no present danger to myself can ever make me address myself to Lord Chatham, or any other branch of the opposition."[2]

[1] "Parliamentary History," Vol. XIX. col. 762 *et seq.*

[2] "Correspondence of George III. with Lord North," Vol. III. pp. 149, 150.

Again, "While any ten men of the kingdom will stand by me, I will not give myself up to bondage."[1] A little later, "Rather than be shackled by these desperate men (if the Nation will not stand by me) I will rather see any form of government introduced into this island, and lose my crown, rather than wear it as a disgrace."[2] He yielded, however, so far to the pressure that was brought to bear upon him as to write to North that he might address himself to Chatham if he chose; but it was to be understood that he himself would never address him save through North, and on the understanding that he was but to occupy a subordinate place in a ministry in which North was First Lord of the Treasury.

As might have been expected, these negotiations failed. Later, overtures made to the Whig leaders to join a ministry under Lord Weymouth were also unsuccessful. In June, 1779, the King's position was strengthened by the appointment of his friend, Lord Thurlow, to the chancellorship. He grew bolder. No one was to come into the Cabinet save to carry out his measures. On the 22d of June, he wrote, "Before I will hear of any man's readiness to come into office, I will expect to see it signed under his

[1] Lord Brougham's "Works," Vol. III. p. 110. Fox, "Memoirs," Vol. I. p. 191.

[2] Lord Brougham's "Works," Vol. III. p. 111. Fox, "Memoirs," Vol. I. p. 193.

own hand that he is resolved to keep the empire entire, and that no troops shall be consequently drawn from thence (America) nor independence ever allowed."[1] Again he wrote, that while "it was impossible in England to govern without the concurrence of Parliament, this country would never regain a proper tone unless ministers, as in the reign of King William, *would not mind being now and then in a minority*."[2] Nevertheless in December he was again induced to make overtures to the opposition, still, however, stipulating that the change in men was to involve no change in measures. Again the offer, thus conditioned, was rejected.

In 1780 the country became more decidedly aroused than ever before. Associations were everywhere formed. Petitions were sent in from all parts of the country against the American war and the corrupt influence of the Crown. April 6, 1780, Mr. Dunning moved his famous resolution "that the influence of the Crown has increased, is increasing, and ought to be diminished."[3] Inasmuch as the influence of the Crown was largely due to the amount of patronage at its disposal, this resolution was followed by resolutions in favor of economic reform.

[1] Fox, "Memoirs," Vol. I. p. 236.

[2] "Correspondence of George III. and Lord North," Vol. III. p. 193.

[3] "Parliamentary History," Vol. XXI. col. 339.

The King resolved on an appeal to the country. In September, 1780, Parliament was dissolved. In the general election that followed, the country at large was probably more interested than in any previous election in its history. "Hitherto," said Sir George Savile, "I have been elected in Lord Rockingham's dining room. Now I am returned by my constituents." The King complained that the expenses of this election were at least double those of any preceding election.[1]

As might have been expected, the new Parliament was even less submissive than its predecessor had been. March 4, 1782, General Conway moved a resolution "that the House will consider as enemies to the King and country all who shall advise the further prosecution of offensive war for the purpose of reducing the revolted colonies to obedience by force."[2] And the Prime Minister replied that he was prepared to carry out the instructions of the House, although to do so would mean the direct reversal of his policy. Fox inveighed against an administration remaining in office to carry out the policy of the opposition. On March 20 North resigned, just in time to avoid a motion demanding his dismissal. The task of forming a new administration was committed to Rockingham.

[1] "Correspondence of George III. and Lord North," Vol. II. p. 422.

[2] "Parliamentary History," Vol. XXII. col. 1100.

The outgoing minister said wittily that the late opposition had often accused him of issuing lying gazettes, but that his administration had never issued any gazette half so false as that in which their successors announced their installation in office; for it consisted of a long series of paragraphs, each of them beginning with the words, "His Majesty has been *pleased* to appoint." Indeed, the King was said to have contemplated abdicating. Not only was the personalia of the new administration objectionable to him, but Lord Rockingham came into office only on condition that he might make peace with America on the basis of its independence, and bring forward measures for the abolition of offices, the exclusion of contractors from Parliament, and the disfranchisement of revenue officers — measures which must tend to a reduction of the influence of the Crown.

The King resorted to the tactics that he had always employed when his enemies were in office — that of stirring up dissensions among them. And again circumstances favored him; for the second Rockingham administration, like the first Rockingham administration, was divided against itself. The King had been able to retain his friend Thurlow in office. This minister was openly opposed to Lord Rockingham, who, he said, "was bringing things to a pass where either his head or the King's must go in order to settle which of them is to

govern the country."[1] He continued in the Cabinet as the King's man, to oppose it on every possible occasion.[2] The rest of the government was Whig, but it contained two very dissimilar elements, — the Rockingham Whigs and the Chatham Whigs, the Rockinghams standing preëminently for party organization and party government, while the Chathams leaned toward the breaking down of party lines.[3] The nominal chief of the Rockinghams was Rockingham himself; but the ablest member of the party in the Cabinet was Charles James Fox,[4] Secretary of State for Foreign Affairs. Since the death of Lord Chatham, Lord Shelburne had been the chief of the Chatham Whigs. This man, who, for some reason not very clear to posterity, was almost universally disliked by his contemporaries, was made Secretary of State for Home and the Colonies. In all negotiations the King

[1] In the House of Lords he described ministerial bills as "attempts to deceive and betray the people, and advised the Lords not to vote for them to please the ministers." "Parliamentary History," Vol. XXII. col. 1356.

[2] "During the Rockingham administration the Chancellor was really the leader of his Majesty's opposition in the House of Lords." — CAMPBELL, "Lives of the Chancellors," Vol. V. p. 543.

[3] The two parties in the Cabinet were about equally divided: Rockingham, Fox, Richmond, Lord John Cavendish, and Keppel on the one side; Shelburne, Thurlow, Grafton, Camden, and Ashburton on the other side, while Conway was sometimes with one, sometimes with the other.

[4] Son of Henry Fox of the preceding reign.

selected him as his agent, and conducted business with the Prime Minister through him. This increased the bad feeling in the Cabinet, as it was intended that it should.

"Provided we can stay in long enough to give a good stout blow to the influence of the Crown, I do not think it much signifies how soon we go out after," Fox wrote to Fitzpatrick.[1] In spite of the disadvantages under which this ministry labored, the good stout blow was struck. As we have seen, the Parliamentary majorities which the Court was able to command were largely the result of patronage. This patronage was distributed both among the electors and among members of Parliament.[2] Under Rockingham an act was passed disfranchising revenue officers. During the North administration no fewer than twelve thousand of these officers had been appointed. Their total number is variously estimated at from forty to sixty thousand out of an electoral body of three hundred thousand. Their disfranchisement, therefore, meant a decided weakening of the government influence at elections. Further, by Burke's Economical Reform Act, also passed during this administration, more than forty considerable employ-

[1] Fox, "Memoirs," Vol. I. p. 317.

[2] In the first Parliament of George I. there were 271 members holding offices, pensions, and sinecures — about half the whole number of the House of Commons. In the first Parliament of George II. there were 257; in the first Parliament of George IV., 89, exclusive of army and navy officers.

ments were cut off, provision was made for gradually reducing the pension list to £90,000, and the Secret Service Fund to be expended within the kingdom was limited to £10,000 annually — a saving of about £72,000.

On the first of July, 1782, Rockingham died. Shelburne succeeded him as First Lord of the Treasury. He and Fox being constitutionally at variance, and having quarrelled over peace negotiations with America, Fox and his friends retired.

It was one of Horace Walpole's happy sayings that "the Crown devolved upon the King of England on the death of Lord Rockingham."[1] It was believed that Shelburne trusted to maintain himself entirely by the royal favor. He himself said that he would "never consent that the King of England should be a King of the Mahrattas; for among the Mahrattas the custom is, it seems, for a certain number of great lords to elect a Peishwah, who is thus the creature of the aristocracy and is invested with the plenitude of power, while their king is, in fact, nothing more than a royal pageant."[2]

It is doubtful how much of the royal favor Shelburne enjoyed. It is certain that he enjoyed no other favor. His colleagues were constantly suspecting him of duplicity, and complaining of his failure to consult them.

[1] Lady Minto's "Life of H. Elliot," p. 255.

[2] "Parliamentary History," Vol. XXIII. col. 192.

Grafton, who held the Privy Seal, expressed his determination never to consider Shelburne as Prime Minister, but simply "as holding the principal office in the Cabinet." When Shelburne brought the Duke of Rutland into the ministry without previously informing his colleagues, Grafton retired. In January, 1783, the Duke of Richmond told the King that he would attend no more Cabinet meetings, although he remained in office. Almost every member of the administration quarrelled with his chief, except young William Pitt, who at the age of twenty-three had been made Chancellor of the Exchequer. And he afterward said that he had atoned for any errors he might have committed during his lifetime by having served almost a year under Lord Shelburne.[1]

The King's plan had been to destroy party government, in order that he might replace it by his own government. Now his tactics were turned against himself in a most unexpected and violent manner. No two men had indulged in more abusive language against each other than Lord North and Mr. Fox. Now the Tories, led by Lord North, and the Whigs, led by Mr. Fox, electrified the Court and the country by joining to overthrow the King's friends, represented as they believed by Lord Shelburne. When Mr. Fox insisted that the King should not be allowed to be his own minister, Lord

[1] Russell, "Life of Fox," Vol. I. p. 326.

North, who had done more than any other one man to build up personal royal government, replied, "The King ought to be treated with every sort of respect and attention, but the appearance of power is all that a king of this country can have." [1]

The King did not submit to this coalition of his enemies and his former friends until everything else had been tried and failed. He allowed the country to be thirty-seven days without a government, while he appealed to Mr. Pitt, made separate proposals to Lord North and the Duke of Portland, and finally to Lord Weymouth. Then, on the 2d of April, 1783, the coalition ministry was completed with the Duke of Portland as First Lord of the Treasury.

Bishop Watson says that on the day the new ministers came into office, some one (probably Pitt) told Lord John Cavendish that they had two things against them, — the closet and the country.[2] When they kissed hands, a bystander predicted their early fall, for he observed George III. "turn back his ears and eyes, just like the horse at Astley's when the tailor it had determined to throw was mounting." [3] The day before the King wrote to Lord Temple, "A ministry which I have avowedly attempted to avoid by calling on every other description

[1] "Fox Correspondence," Vol. II. pp. 37–38.

[2] Lewis, "Administrations of Great Britain," p. 65, note.

[3] Fox, "Memoirs," Vol. II. p. 228.

of men cannot be supposed to have either my favor or my confidence; and as such I shall most certainly refuse any honors that they may ask for."[1] Again to the same nobleman he wrote "that to such a ministry he would never give his confidence, and would take the first opportunity of dismissing them."[2]

As for the country, the coalition brought out very clearly how little it had to do with the government; how little the government thought it necessary to concern itself with it. The man who had been the strongest advocate of the American war, and the man who had been its ablest opponent, the man who had been the King's best agent in augmenting the power of the Crown, and the man who had been the bitterest enemy of that power, had joined forces. Although the purposes of the founders of the coalition were probably honorable, their action being based upon the belief that only thus could a strong and permanent government be formed, in which the direction of affairs should rest with the ministers and not with the Crown, it was hard to make outsiders believe that such was the case. It was difficult for the nation to regard the new government as anything save a corrupt coalition to obtain office, by which its interests had been and would be wholly neglected.

The ministers soon give the King an opportunity to

[1] "Buckingham Papers," Vol. I. p. 303.

[2] "Courts and Cabinets of George III.," Vol. I. p. 302.

put his hostility into active and definite form. They brought in an India Bill, which placed the patronage of India in the hands of commissioners to be appointed by Parliament, and to be irremovable by the Crown. The first set of these commissioners were to be nominated by the ministers. The King was enraged, chiefly because the bill took from him a large part of the patronage which he used in maintaining his majorities. Indeed, through this patronage a party of ministers' friends might be built up in constant opposition to the King's friends. "If the bill passed," Thurlow said in Parliament, "the King would in fact take the diadem from his own head and place it on the head of Mr. Fox."[1] To the country, too, it seemed as though the ministers were using the places which they had corruptly obtained to build up a corrupt influence in Parliament, which might always be counted upon to support them.

Such was the Parliamentary following of the coalition, that it was absolutely certain that the bill would pass the House of Commons. It was determined, therefore, to strike a blow in the Lords. The King gave Lord Temple a card, authorizing him to say that "whoever voted for the India Bill was not only not his friend, but would be considered by him as an enemy; and if these words were not strong enough, Earl Temple might use whatever words he might deem stronger and more to the

[1] "Buckingham Papers," Vol. I. p. 288.

purpose."[1] The result of this move soon became apparent. "The bishops waver," wrote Fitzpatrick, "and the thanes fly from us."[2] The Tory followers of Lord North especially showed a disposition to desert the ministry. On the 17th of December, 1783, the Bill was rejected by 95 to 76. The same day the House of Commons passed a resolution which was virtually a vote of censure on the Crown to the effect that "to report any opinion or pretended opinion of his Majesty upon any bill or other proceeding depending in either House of Parliament, with a view to influence the votes of the members, is a high crime and misdemeanor derogatory to the honor of the Crown, a breach of the fundamental privileges of Parliament, and subversive of the Constitution."[3] In spite of the fact that the ministry still commanded an overwhelming majority in the Commons, the King sent commands at midnight to Mr. Fox and Lord North to deliver up their seals of office, and to send them by their under-secretaries, "as he must decline to see them in person."

The coalition ministry having been thus disposed of, William Pitt, a young man of twenty-five, was appointed First Lord of the Treasury and Chancellor of the Ex-

[1] "Courts and Cabinets of George III.," Vol. I. pp. 288, 289. Fox, "Memoirs," Vol. II. p. 253.

[2] Fox, "Memoirs," Vol. II. p. 220.

[3] "Parliamentary History," Vol. XXIV. col. 199.

chequer. The news of his appointment was received in the House of Commons with shouts of derision. He entered upon office with an overwhelming majority against him, and insisted upon retaining his position in spite of resolution after resolution implying want of confidence, the defeat of his principal measures, and the postponement of supplies. Alone in the House of Commons, he met the attacks upon him. For his Cabinet consisted of but seven persons, and among the seven he himself was the only commoner.

Inasmuch as the opposition commanded so large a majority in the Lower House, it was supposed that almost the first action of the minister would be to dissolve Parliament, and issue writs for a new election. The efforts of the majority therefore were directed toward preventing such a dissolution. That put them in the wrong, and Pitt in the right. For a minister to remain in office with a vast majority against him in the House of Commons, without appealing to the country, was certainly an unconstitutional proceeding. But so long as the Commons refused to allow this appeal to the country, they and not the minister had to bear the burden of the blame.

Pitt indeed had no desire to dissolve Parliament at that time. He believed that the longer the controversy continued the more the opposition must decrease, and he must increase. He was not mistaken. The

extreme Whigs and the extreme Tories had never liked the coalition. They began to fall away from it. There were others who were convinced by argument. And there was a large number who changed sides because of the general disposition of mankind to be on the winning side. At last Fox's majority dwindled to one. Then on the 24th of March Parliament was dissolved. Shortly afterward the writs for a new election were issued.

Then it was proved that the delay had gained votes for Pitt not only in the House of Commons, but in the country. Public opinion, in so far as it existed, had always been opposed to the coalition. But to a very considerable extent it did not exist. During the more than three months' discussion in the House of Commons, this opinion had been forming itself. And the unwillingness of the opposition to submit the question at issue to the country, had tended to increase the popular feeling against it. The result was a complete victory for the government. One hundred and sixty followers of Fox lost their seats. The precedent was established that if the ministers chosen by the Crown do not possess the confidence of the House of Commons, they may appeal to the people, with whom is the final decision.

And so it seemed as though the King had triumphed. In reality it was the people who had tri-

umphed. When the great Whig families had expelled the Stuarts, they reigned in their stead. They undertook to carry on a government, which at the time no one else could carry on with safety. But their mission had long since been accomplished. Now it was determined that they should no longer rule.

And it was soon discovered that the power of the Crown as well as the power of the nobles had been broken by the elections of 1784. For seventeen years Pitt was an even more absolute minister than Walpole had been. The King was powerless against him; for if he dismissed him, the only alternative was Fox. So once more the minister, and not the King, became the centre of authority. And while, until the Reform Act of 1832, the King continued to have a more or less determining voice as to who the minister should be, from 1784 it was the minister who chose the policy. During Pitt's ministry, too, the system of Parliamentary corruption was almost completely terminated, and so one of the most fruitful sources of royal influence was cut off.

Although Pitt, while in office, was able to keep the King from exercising an undue influence on public affairs, yet his fall in 1801 was, like his rise, due largely to the royal will. It is, however, true that he had to meet not only the opposition of the King, but a divided Cabinet. When in September, 1800, he

brought the question of Catholic emancipation before the Cabinet, the Chancellor Loughborough objected to any favor being granted to Catholics beyond the commutation of tithes. Further, without the knowledge of his colleagues, he informed the King of their intention. The King expressed himself in the strongest manner as opposed to the measure. The knowledge of the royal sentiments made an impression upon the Cabinet. Several members began to waver. When, on the 31st of December, Pitt wrote to the King, outlining his policy with respect to the Catholics, he described it as "*what appears to be the prevailing sentiment of the majority of the Cabinet.*" The King answered that his coronation oath forbade his even discussing the question. Whereupon Pitt resigned. Yet even here it is to be noticed that there was an advance. It is true that Pitt resigned, because he could not make the King agree with his measures. But some of his predecessors would have stayed in office to carry out the King's measures. Pitt told Canning that he went out not on the Catholic question, simply as a measure in which he was opposed, but because he knew that if he had assented he would, as a minister, have been on a footing totally different from what he had ever before been in the Cabinet.[1] Had not the King's health at that time been in a very

[1] Malmesbury, "Diaries," p. 75.

precarious condition, it is possible that he would have remained in office, and forced his measures through.

In Addington, who succeeded Pitt, the King found a Prime Minister after his own heart. He was fond of speaking of him as "*my* Chancellor of the Exchequer," "*my own* Chancellor of the Exchequer." But the administration was too weak to last, and in 1804 Pitt was restored to power.

On his return to office, Pitt proposed that Fox be admitted to the Cabinet. The King asserted his authority as in the old days, declaring "that he had taken a positive resolution not to admit Mr. Fox into his Councils, even at the hazard of a civil war."[1] Pitt did not press the matter further.

The death of Pitt in 1806 was followed by the Grenville-Fox ministry of "All the Talents." That fell like the Pitt ministry in 1801, because it proposed to grant concessions to the Catholics. The obnoxious measure was withdrawn. But the King, not satisfied with this, proceeded to demand from his ministers a pledge that they "would never under any circumstances propose to him further concessions to the Catholics, or even offer him advice upon the subject."[2] This the ministers refused. They were there-

[1] "Rose's Correspondence," Vol. II. pp. 156, 182.

[2] "Hansard Debates," Vol. IX. col. 243. "Lord Sidmouth's Life," Vol. II. p. 414.

fore dismissed, and a new administration was formed under Mr. Perceval.

The Commons did not allow these proceedings on the part of the King to pass uncensured. On the 9th of April a resolution was introduced into the House of Commons, to the effect that it was "contrary to the first duties of the confidential servants of the Crown to restrain themselves by any pledge, expressed or implied, from offering to the King any advice which the course of circumstances may render necessary for the welfare and security of the Empire." In the debate it was argued that to admit the constitutionality of such pledges would be to make the Crown absolute. For the King could not be held responsible; and if the ministers also should avoid responsibility by a pledge to the Crown, the government would be nothing short of a despotism. Sir Samuel Romilly even maintained that if the ministers had given such a pledge, they would have been guilty of a high crime and misdemeanor.[1] In discussing a similar motion in the House of Lords, Lord Erskine said that if such pledges were allowable, "the King, instead of submitting to be advised by his councillors, might give the rule himself as to what he might be advised in, until those who are solemnly sworn to give full and impartial counsel, and who are responsible to the

[1] "Hansard Debates," Vol. IX. col. 327.

public for their conduct as his advisers, might be penned up in a corner in their duties and jurisdiction, and the state might go to ruin." Further, he declared that "the King can perform no act of government himself, and no man ought to be received within the walls of this House, to declare that any act of government has proceeded from the private will and determination or conscience of the King. The King as chief magistrate can have no conscience, which is not in the trust of responsible subjects. When he delivers the seals of office to his officers of state, his conscience as it regards the state accompanies them."[1]

Although the motion was not carried in either House, the King decided to dissolve Parliament. He said that he was "anxious to recur to the sense of his people, while the events which have recently taken place are yet fresh in their recollections." The loyalty and religious feeling of the people returned a large majority for the Crown.

Shortly after this began the period of the regency. Events at this time show that the royal influence was still considered quite sufficient to support a ministry. The Prince of Wales found a Tory government in power. His own sympathies were supposed to be with the Whigs. That party, therefore, expected to

[1] "Hansard Debates," Vol. IX. cols. 355–365.

come into office. Whigs and Tories were alike sure of being able to command a majority if only they had the support of the Regent. He finally decided to retain the Tories.

Again, after the accession of George IV., we find the ministers, in the matter of the Queen's trial, lending themselves to gratify the anger and hatred of the King, although they disapproved of the whole affair.

In 1822 Mr. Brougham introduced into the House of Commons a motion declaring that the influence of the Crown was "unnecessary for maintaining its constitutional prerogatives, destructive of the independence of Parliament, and inconsistent with the well-governing of the realm." He maintained that that influence had greatly increased since the Dunning resolution of 1780, although the number of placemen had decreased. The motion was, however, defeated by a large majority.[1]

George IV., like his father, was opposed to Catholic emancipation. Through his opposition it was postponed as long as possible; and when at last, in 1829, he was obliged to yield, he showed marked incivility to the ministers who carried it. Through royal opposition, this measure had been delayed thirty years.

So long as the House of Commons represented the people so badly, it was natural that the influence of the Crown should be great. Nor was this altogether undesir-

[1] "Hansard Debates," Second Series, Vol. VII. col. 1266.

able, for so long as the House of Commons was unreformed, the people could often only make themselves felt through the differences between King and Parliament as one side or the other called them in.

Perhaps the last act of unconstitutional interference with the deliberations of Parliament on the part of royalty was the act by which William IV. made such interference almost impossible in the future. In 1832, rather than create a large number of peers in order to carry the Reform Bill, he, in the manner, but not in the spirit of George III., without the knowledge of the ministers, caused a circular letter to be addressed to the opposition peers, to the effect that "all difficulties to the arrangement in progress would be obviated by a declaration in the House from a sufficient number of peers that in consequence of the present state of affairs, they had come to the resolution of dropping further opposition to the Reform Bill."

The Reform Bill was passed. And the result soon became evident. In 1834 the King dismissed the Whig ministry of Lord Melbourne, and intrusted Sir Robert Peel with the task of forming a new administration. There was no reason for the change except the King's personal wish. The outgoing ministers commanded a majority in Parliament. There were no dissensions among themselves, nor were they even at issue with the King on any particular point. Peel perceived immedi-

ately that it would be impossible for him to carry on the government with the existing House of Commons. He therefore appealed at once to the country. When the new House also proved hostile to him he resigned, and the government of Lord Melbourne was reinstated. Thus it was proved that in the reformed Parliament not only must the minister have a majority, but the mere fact that he was minister would not be sufficient to insure that majority.

Queen Victoria found Lord Melbourne in office. She gave him her full confidence, and the royal household was organized, and the ladies of the bedchamber were chosen from among the supporters of the ministry. The entire Court was thus in sympathy with the administration. In time the ministers lost their Parliamentary support, and in May, 1839, handed in their resignations. Sir Robert Peel was asked to form an administration. He informed the Queen that the changes must include the ladies of the bedchamber. To this, she refused her consent. The Melbourne ministry was reinstated, but continued to lose strength in Parliament. In 1841 there was a vote of want of confidence. The country was appealed to, and that also proved hostile. Lord Melbourne again resigned, and the task of forming an administration was again assigned to Sir Robert Peel. This time the Queen raised no difficulty on the subject of the bedchamber question.

Here the struggle with the Crown may be said to end.[1] In 1850, through the Prime Minister, Lord John Russell, the Queen sent a memorandum to Lord Palmerston, the Secretary of State for Foreign Affairs, in which she defined the relations which should exist between the Crown and the Foreign Secretary. It read as follows: "The Queen desires first that Lord Palmerston will distinctly state what he proposes in a given case, in order that the Queen may know as distinctly to what she is giving her royal sanction. Secondly, having once given her sanction to a measure, that it be not arbitrarily altered or modified by the minister. Such an act she must consider as failing in sincerity toward the Crown, and justly to be visited by the exercise of her constitutional right of dismissing that minister. She expects to be kept informed of what passes between him and the foreign ministers, before important decisions are taken, based upon that intercourse; to receive the foreign despatches in good time; and to have the drafts for her approval sent to her in sufficient time to make

[1] Professor Seeley has called attention to the fact that the great prominence which legislation began to assume in the early part of the nineteenth century had much to do with the decrease in the power of the Crown, and the increase in the power of the minister. Government had begun to mean legislation as much or even more than administration, and in much of this legislation the Crown had no special interest. See Seeley, "Introduction to Political Science," pp. 287–290.

herself acquainted with their contents, before they must be sent off." [1]

When the external relationships of the Cabinet were settled, the internal relationships adjusted themselves. During the early part of the reign of George III. there was not, properly speaking, a Prime Minister. Lord North refused to allow himself to be spoken of as Prime Minister in his own family. And we have seen how little of a Prime Minister he was. Yet at the time of his coalition with Fox he acknowledged himself to be opposed to the system of government by departments which had characterized his administration. "There should," he said, "be one man or a Cabinet to govern the whole, and to direct every measure." [2]

With the accession of the younger Pitt in 1783 the office of Prime Minister, which may be said to have been in abeyance, was revived. At first because Pitt's views agreed with those of the King, and later because the King could not get on without him, it was easy for him to maintain the supremacy in his Cabinet. In 1803, when out of office, he had a conversation with Lord Melville as to the position which the Prime Minister should take. In this conversation he dwelt "pointedly and decidedly upon the absolute necessity there is in the conduct of affairs in this country that there should be

[1] "Hansard Debates," Third Series, Vol. CXIX. col. 90.

[2] "Fox Correspondence," Vol. II. p. 37.

an avowed and real minister, possessing the chief weight in the Council, and the principal place in the confidence of the King. In that respect (he contended) there can be no rivalry or division of power. That power must rest in the person generally called the First Minister, and that minister ought (he thought) to be the person at the head of the finances. He knew to his own comfortable experience that, notwithstanding the abstract truth of that general proposition, it is noways incompatible with the most cordial concert and mutual exchange of advice and intercourse amongst the different branches of executive departments. But still, if it should unfortunately come to such a radical difference of opinion that no spirit of conciliation or concession can reconcile, the sentiments of the minister must be allowed and understood to prevail, leaving the other members of administration to act as they may conceive themselves conscientiously called upon to act under such circumstances."[1]

The position which Pitt claimed for the Prime Minister, his successors have generally been able to maintain. Yet in 1806 it was remarked in Parliament that "the Constitution abhors the idea of a Prime Minister."[2] In 1829 Lord Lansdowne said that "nothing could be more mischievous or unconstitutional than to recognize

[1] Stanhope, "Life of Pitt," Vol. IV. p. 24.

[2] "Parliamentary Debates," Vol. VI. col. 178.

by Act of Parliament the existence of such an office."[1] With the exception of the elder Pitt, Bute, and Lord Salisbury, who were Secretaries of State, the Prime Ministers have always held the official position of First Lord of the Treasury.

When Lord Rockingham succeeded Lord North in 1782, there was, with the exception of the Chancellor, an entire change in the administration. This was the first time that so complete a change was made in deference to the wishes of Parliament.[2] "At last," wrote the King, "the fatal day has come, which the misfortunes of the times, and the sudden change of sentiments of the House of Commons, have drove me to changing the ministry, and a more general removal of other persons than I believe ever was known before."[3] The precedent which was set at that time has been followed ever since. If any members of the outgoing Cabinet remain in office, it is by special arrangement with the new Premier.

Until 1783 there were gradations in the Cabinet. Some members were intrusted with more of the secrets of government than were others. In 1782 Lord Shel-

[1] "Mirror of Parliament," 1829, p. 1167.

[2] As was noticed on p. 230, because of the personal preference of the King, there was a full change in the administration at the time of the accession of George I.

[3] "Correspondence of George III. and Lord North," March 27, 1782.

burne, perhaps rather facetiously, described the state of affairs to Jeremy Bentham. There was, he said, the First Cabinet, which included all those who were ever asked to attend Cabinet meetings. Above this was the Cabinet with the circulation, that is, with the privilege of the key to the Cabinet boxes, wherein were kept foreign despatches and other papers containing matters of interest to the ministers. Above this in turn was the Cabinet with the circulation and the post-office, that is, with the power of ordering letters of individuals to be opened at the post-office.[1] This last was a right which belonged technically only to the Secretary of State.

As soon as the paramount authority of the Prime Minister was acknowledged, government by departments ceased. After the *coup d'état* of the 2d of December, 1851, in Paris, the Cabinet decided upon a policy of non-intervention. When it was discovered that Lord Palmerston, the Foreign Secretary, had expressed to M. Walewski, the French Ambassador, his "entire approbation of the act of the President, and that he could not have done otherwise than he had done," he was dismissed, on the ground that he had exceeded his authority as Secretary of State.

With the acknowledgment of the authority of the Prime Minister, the principle of unanimity in the

[1] Bentham, "Works," Vol. IX. p. 218.

Cabinet also developed rapidly. In 1812 there was a proposition to form a mixed Cabinet, giving to the Whigs a majority of one. The Whig leaders refused to consider it, on the ground that "to construct a Cabinet on a system of counteraction was inconsistent with the prosecution of any uniform and beneficial course of policy."[1]

So strong is the bond of union in the Cabinet that under ordinary circumstances, if one member falls, the others fall with him. Yet occasionally when the indiscreet or unpopular action of an individual minister clearly forms no part of the government policy, the penalty for such action may be visited upon the head of the offending minister alone. Thus, in 1855, Lord John Russell, then Secretary of State for the colonies, was sent to the conference at Vienna as the English representative. While there, he approved of the proposals made by Austria, and supported them. But the government at home would not hear of them. Whereupon Russell, as a member of the Cabinet, condemned in Parliament the very resolutions which he had supported at Vienna. Such inconsistency failed to find favor in the Commons. Sir Edward Bulwer-Lytton gave notice of a vote of censure on "the minister charged with the negotiations at Vienna." Russell anticipated the vote by resigning his office. The other

[1] Stapleton, "Canning and his Times," p. 201.

members of the Cabinet remained in office, and the motion was withdrawn. Another example is that of Lord Ellenborough in 1858. In that year, Canning, as Governor General of India, issued his famous proclamation. Lord Ellenborough, who was President of the Board of Control, took it upon himself to send Canning an eloquent despatch, condemning this proclamation. Lord Shaftesbury moved a resolution in the House of Lords, declaring that the House regarded with apprehension the sending of such a despatch, and that such a course must prejudice the English rule in India by weakening the authority of the Governor General, and encouraging the rebels still in arms. A similar resolution was introduced into the Commons. Lord Ellenborough immediately resigned his office, thereby taking upon himself the whole responsibility for his action. The resolution was defeated in the Lords, withdrawn in the Commons.

The Cabinet varies in number at the pleasure of the Prime Minister. It always contains the First Lord of the Treasury, the Chancellor of the Exchequer, the Secretaries of State, now five in number, the First Lord of the Admiralty, the Lord High Chancellor, the Lord Privy Seal, and the Lord President of the Council. From three to eight other persons are included as determined by the Premier. Lord Beaconsfield thought that the number should be lim-

ited to twelve. But of late years the tendency has been for the membership to increase.

In 1801, when Addington became Prime Minister, Lord Loughborough, who had been Chancellor under Pitt, resigned the Great Seal. Yet he still retained the key of the Cabinet boxes, and continued, though unsummoned, to attend meetings of the Cabinet. Addington finally wrote to him, requesting him to discontinue doing so, as he was "of the opinion that the number of the members of the Cabinet should not exceed that of the persons whose responsible situations in office require their being members of it."[1]

Until 1765, when the Chancellor of the Exchequer was not identical with the First Lord of the Treasury, he was not necessarily included in the Cabinet. When, in that year, Dowdeswell was appointed Chancellor of the Exchequer, there was doubt as to whether he was entitled to a seat in the Cabinet.[2]

The elder Pitt would seem to have abolished the custom of including the household officers in the Cabinet. The Lord Chamberlain and the Master of the Horse were included in the first Rockingham administration. In Pitt's administration which followed, they were not included. It seems probable

[1] Campbell, "Lives of the Chancellors," Vol. V. p. 327.

[2] "Cavendish Debates," Vol. I. p. 576.

that in this matter Pitt established a precedent, which was at least generally followed.

The Lord Chief Justice has sometimes been a member of the Cabinet. But when, in 1806, Lord Ellenborough, then Chief Justice of the King's Bench, was appointed Lord President of the Council, with a seat in the Cabinet, a resolution was proposed in the House of Lords "that it was highly inexpedient, and tended to weaken the administration of justice to summon to any committe or assembly of the Privy Council any of the judges of his Majesty's courts of common law." Resolutions proposed in the House of Commons declared "that it was highly inexpedient that functions of ministers of state, and confidential advisers of executive measures of government, should be kept distinct and separate from those of a judge at common law," and that the appointment of the Lord Chief Justice to a seat in the Cabinet was "peculiarly inexpedient and unadvisable, tending to expose to suspicion and bring into disrepute the independence and impartiality of the judicial character, and to render less satisfactory, if not less pure, the administration of public justice."[1] These resolutions were rejected, and Lord Ellenborough continued to sit in the Cabinet. But in a debate in the House of

[1] "Hansard Parliamentary Debates," First Series, Vol. VI. col. 178 *et seq.*

Lords, in 1837, the union of political functions with a permanent judicial office was condemned by legal and constitutional authorities alike.

The office of Commander-in-chief has at times been associated with a Cabinet position, notably in the cases of Marlborough and of Wellington. But since Wellington's day it has been customary to consider the position non-political.

Great churchmen have also sometimes held ministerial positions. The Archbishop of Canterbury was a rather prominent member of Walpole's Cabinet. But it is not probable that a bishop will again hold such a position. The Catholic emancipation and the repeal of the civil disabilities of Dissenters have somewhat altered the relations between Church and State. Moreover, public opinion objects to a clergyman who takes too active a part in politics.

As was said at the beginning, Cabinet government is the result not of legislation but of development. The growing tendencies toward bureaucracy would seem to indicate that the final stage of this development has not yet been reached. Nor is it probable that in such a process there will be a final stage. How much of what has been accomplished is to be permanent, time will show.

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